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THE STORY  
OF CRIME

## LIFE IN THE LAW

**Reminiscences of the Bench, Bar  
and Circuit**

By GEORGE WITT, K.C.

(Bencher of Lincoln's Inn, formerly Senior  
Fellow of King's College, Cambridge.

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# THE STORY OF CRIME

FROM THE CRADLE  
TO THE GRAVE

BY

H. L. ADAM

*ILLUSTRATED*



T. WERNER LAURIE  
CLIFFORD'S INN, LONDON



**Dedicated to**  
**LEGISLATORS, DIVINES, ADMINISTRATORS**  
**AND WOULD-BE SOCIAL**  
**REFORMERS**



## Preface

SOME years ago I set myself the task of studying crime and prison life in all its phases. Not merely to accept hearsay evidence, but to see and hear with my own eyes and ears all that was significant on the subject that I could. Therefore, wherever anything was to be learned concerning crime I there prosecuted my inquiries and observed for myself what transpired. I enlisted the sympathies of the Home Office, of judges, magistrates, counsel, solicitors, and a variety of other officials, all of whom rendered me invaluable assistance, and to all of whom I am pleased to be able now to thus acknowledge my deep indebtedness. I have been an industrious attendant at various courts of justice, and witness of many cases, large and small. I have been enabled, from time to time, to view the proceedings from various standpoints--from the bench, the well of the court, the jury-box, but, happily, not from the dock. I have visited many prisons, spending considerable time and thought within and about them. I have discussed cases with the counsel who appeared in them, and have thereby gained some interesting and enlightening

information. The task has spread itself over a number of years, and has been accomplished in the intervals of much exacting journalistic work. The result, in a compressed form, is the present volume. In order to carry out the scheme of the work within the limits of a single, ordinary-sized book I was compelled to condense a good deal, but in future volumes I hope to dwell at length on some phases of crime which appear here only in "tabloid" form.

I have described precisely what I have seen and heard, the sources of my information being the best available. The opinions I have ventured to express constitute the honest and convincing outcome of deliberation and contemplation, and I offer them in all sincerity and modesty.

H. L. A.

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# THE STORY OF CRIME

## FROM THE CRADLE TO THE GRAVE

### PROLOGUE

#### HOSTAGE TO CRIME

IT is a dark, dreary, menacing night, and the rain descends in drenching showers. Our way lies through a narrow, tortuous thoroughfare that seems akin with the night. Dismal, sordid, odiferous is this labyrinthine channel of London's most abysmal social depth. It is nearing midnight, and there are but few wayfarers abroad, none, indeed, but those whom necessity or stern duty impels into the night. The street is dirty, littered with evil-smelling offal. A low-browed gin-shop opposite extends a sickly, flickering invitation through its grimy, dripping windows to the downtrodden inebriate to seek a fool's paradise within its portals. On such a night as this, and amidst such surroundings, even a haven of this kind is not without its attractive side. Some denizens of the dark place have, indeed, found it so, for raised voices issue from the shop, forming a medley of foul oaths. One of the swing doors is rudely pulled open, and a rough, tousled, heavy-footed man emerges therefrom, scowls at the world in general, thrusts his hands deep into

his empty pockets, hunches his back, thrusts his head forward, and moves away through the offal. The wind moans in his wake, as though in requiem. Presently he casts a swift, furtive glance over his shoulder, and quickens his pace, being impelled so to do by the sight of two police constables moving along the street towards him. Police constables always go in couples in this sinister locality.

The man disappears down one of the dark, pestilential alleys which here and there break the continuity of the crazy buildings. From one dreary refuge to another even drearier still. Soon he will find a more attractive home in prison. At present he is not "wanted."

The elements have evidently made up their united minds to crush the spirits completely, normally but little above zero, of the denizens of this area of hopelessness. Mercilessly it blows and rains. A few mean-looking shops have put their shutters up before their uninviting wares. One looks in vain for evidence to justify or confirm this as an abiding place for human beings, except, perhaps, the gin-grin across the way. Are creatures fashioned in the image of God to be found located in such a place, far inferior to the living quarters of many a dog? Woefully, yes, such is the case! For look yonder at that bundle of sodden rags, heaped in a dark corner, as though cast there by an indifferent lumber dealer. It moves slowly, painfully, and evolves something in human shape—a woman! Incredible phenomenon! It creeps away from its unsavoury resting-place—the mode of progression cannot even

vaguely be described as walking—drifts down one of the narrow byways, and is swallowed up in its soul-depressing gloom.

This is in the East—not, alas ! where the wise men come from—but, strange irony of life, much the same kind of thing may be seen in the West, cheek by jowl with plethoric wealth. But let us inspect one of these dark byways—oh, do not fear, we are in good company. We have, indeed, a mission to fulfil. We have with us Detective-Inspector T——, and his assistant, Sergeant B——. They are fine, sturdy, athletic men, know the locality, and are known within it. A crime, a serious crime has been committed, and they are pretty sure of finding their “man” in this abode of human abasement. They know their man very well, he having been through their hands, or the hands of their comrades, many times. This is another of his “jobs.” His wife also has given them a good deal to do, and a small son of theirs is at the present moment undergoing “treatment” at Borstal. It’s the same story over and over again, in and out of prison, getting wilder and more abandoned at each accession of criminal enterprise—the very insanity of crime.

But, here we are, at the portals of the court we are to inspect. You hesitate ? Well, it is not surprising. The place is not inviting. The low archway leads into a *cul-de-sac* courtyard, in the middle of which is a lamp, the fragile flame in which constitutes a pathetic attempt at illumination, and serves only to make the surrounding gloom the more profound. The broken and curtainless windows of the tottering tenements on

either hand present the appearance of the injured and staring eyes of lost souls peering anxiously through the Styx-like obscurity for the possible advent of salvation. Let us go forward. It is merely a home of the very lean kine.

The officers, having been joined by two assistants, whom they have instructed to remain and bar egress from the court, move into the latter, casting lynx eyes to right and left. A figure darts out of the gloom, and pulls up suddenly within a few feet of the officers, dropping a guilty face. A queer figure, a combination of youth and maturity ; a child's body contradicted by a careworn face, arrested by a hangdog dejection. Emaciated, pallid, alert—eager to strike or ready to fly. Anything to be out of it.

“ Wot d'ye want me fur, now, Mr T—— ? I ain't done nuffink ! ” mumbles the figure in an uncouth voice that plumbs a great depth of singular pathos.

“ All right,” replies the officer, not unkindly, “ I don't want you. But ”—as though prompted by a supplementary thought—“ isn't it time you were indoors ? ”

“ I'm agoin', sir,” responsively mumbles the figure with ill-suppressed eagerness, and the next moment is gone. Whither it is difficult to decide. Somewhere it has mingled with the gloom.

We arrive at the entrance to one of the tenements. There is no door, no light, no air ; an officer strikes a match and reveals an incomplete staircase, menacing a fall ; there is no baluster. This is the very dwelling-place of negation. We move cautiously and gingerly up the staircase,

assailed by unpleasant anticipations, and an odour that lays the olfactory nerves prostrate. Hark ! what sound was that ? The muffled moan of a woman. It is a sound which most married men are familiar with, and is one which never fails to reach his heart. There, again !—and the wind sobs in sympathy, and the heavens weep. There is no mistaking that expression of suffering. It is one of life's critical moments. The woman is in imminent travail. The pulse of suffering is beating pregnant moments. The sound proceeds from a back room, just above.

What, do they breed in such places as this ? Oh, yes, to be sure. This is one of the many localities of London where they incubate and propagate the criminal classes. We continue our ascent with circumspection until the door of the sick chamber is in view. Although closed it forms but a partial screen, for, at first but weakly, it has long since passed the age of serviceable doors, and is disintegrating. Through the apertures contrived by the fingers of time and decay a faint light can be seen, and between the light and the door the figure of a man. Probably the parish doctor.

From the street comes the sound of a shrill whistle, several times repeated. In a thought we are down the stairs, with which we have become somewhat familiar by the ascent, and spreading out in the court. Near the entrance three men are close locked in a desperate struggle. The three soon become five, our two companions joining the fray. Heads are thrust from the tenement windows, like protruding pupils. The

struggle soon ebbs, superiority of numbers deciding matters. Somebody is secured, and the group moves away, with the exception of one man, who detaches himself from the others and returns down the court to join us. It is Detective T——. They have "bagged" their "man."

He must have been lurking in some corner, probably beneath the very staircase we were climbing, and endeavouring to escape was caught by the two men at the entrance. We learn he is the husband of the woman who is now undergoing a worse ordeal. It is curious. We take her husband, and she gives us something in return. Very soon all the heads have disappeared, and the windows have resumed their normal stare. You see this sort of thing is so frequent an occurrence that it forms but a few moments' wonder.

But what of the woman? The officer is curious. We remount the rickety stairs, quietly as we can. So soon after that combat, and yet how grave-like again all is. Our steps are arrested this time by a new sound, a very small sound to hold us as it does. Very small, yet very important, for it is the voice of a new life. It is puking on a pallet-bed, and the giver is spent. Born from the womb of a criminal mother, from the seed of a criminal father, in an atmosphere of crime, dirt and human degradation unspeakable. Destined to be rocked in a cradle of infamy, fed heaven knows how, and goodness knows when; its brother in prison, its father being hauled thither as it draws its first breath, its mother free by some chance or another. Does it need a seventh son to cast its horoscope? Shall we look into the

near future, and picture it creeping from out a dark corner of this noisome den, as we have already seen that aged-looking youth do, to engage upon some desperate or brutal and cowardly enterprise. Is this not a birth to cause the very angels to weep? Yet such births as these are taking place daily, and go to the peopling of the very lowest depths of our "under darkness."

If you would know what this new-born babe is heir to, what its fate must inevitably be, peruse the ensuing pages.

## CHAPTER I

### SMALL CRIME

STROLL through any crowded, densely populated locality of London and its outskirts, where small children abound, and you shall see potential criminals on all hands. A good deal of crime is the outcome of the absence of restraint in early years. The child who has not been held with the bearing-rein of paternal dictum is not likely to take kindly to the limitations of the laws of his country when he grows up. The receptivity of young children to outside influences is a fruitful source of subsequent wrong-doing, and, beginning in a small way, they advance by easy stages to habitual criminality. I do not know to what extent our various public schools have uplifted the youth of our age, and helped them to live worthy lives, but I do know that crime is not on the decline. I am inclined to think that the form of education that obtains in our various schools is not that which is calculated to appeal to the moral susceptibilities of the pupils so much as to their mere intellectual capabilities. Just scholastic attainments do not constitute an ideal or a complete education. There is such a qualification as mental health, which is quite a different thing. A man may be intellectual and yet immoral.

What is the most venial form of crime ? That

is a difficult question to answer. The line which divides unpunishable wrong-doing from criminal turpitude is a very narrow one. The law, also, visits but a light penalty upon various forms of petty offences; and one cannot very well be dogmatic on the point. A child may initiate a criminal career by nothing more serious than misappropriating the change obtained in making a purchase for its mother. It is astonishing the amount of dishonesty on a small scale which exists among children, and is, unfortunately, never punished or checked. It sometimes happens that a child, with whom its parents aver they can do nothing, is brought before a magistrate, who is asked to inflict a birching. Occasionally this sort of thing is highly amusing on the surface. I remember one case where a perky, defiant handful of humanity stood facing his perplexed, crest-fallen father, who begged pitifully of the magistrate to help him deal with his unruly offspring. It was a curious sight, not without its humorous side. The birching which the refractory boy received subsequently doubtless did him some good.

But sometimes such cases as these are very sad. When, for instance, a poor, pale, pinched-in atom of humanity, whose head scarcely reaches the dock-rail, is charged with stealing a purse, or something from a shop. This veritable "poor Jo" is invariably in a painful condition of want and privation, and if not assisted to a better life at this stage of his career, or relieved by death, he will assuredly become what is known as a "habitual criminal." He will find evil com-

panions, and as he grows older will turn his hand to graver forms of crime. In this direction the various prisoners' aid societies do an immense amount of good, including those presided over by Mr Holmes and Mr Wheatley.

The First Offenders' Act was introduced for the purpose of dealing lightly with venial offences, but, it is to be feared, has led to some abuses. Magistrates have been in the habit of telling prisoners that they intend to deal with them under this Act, and the light sentences which usually follow have become associated and known broadcast, through the medium of reports in the newspapers, and by other means. The result has been that people meditating dishonest deeds have been induced to take the fatal step by the consoling reflection that if found out they are sure to be dealt with leniently under the Act, this being their first offence. They might not have chanced it otherwise.

There are of course plenty of venial offences committed by adults as well as juveniles. I remember once interviewing an old ex-smuggler on the Norfolk coast. He was then over eighty, a fine, stalwart old chap, a veritable Viking. He had been a very successful smuggler, and at one time was worth a lot of money. For years he had contrived to evade the "preventers," who "wanted" him very badly, until at length one luckless day Nemesis tripped him up, and he found himself in the clutches of the outraged law. He went to prison, and from that time; having been the victim of the treachery of one of his own class, he gave up the "business"—as he called it

—and turned his attention to honest methods. Having related to me, with infinite gusto, the many escapades he had been engaged in, he wound up with the expression of opinion that smuggling, although, of course, a crime, was, however, one of the lightest. This he supplemented with a pious aspiration that he should “die honest.” Doubtless the authorities entertained somewhat different opinions concerning the crime of smuggling.

The most contemptible criminal I ever saw was a benign, silvery-haired old woman, who, up to a point, cut a very creditable figure in the dock. She was perfectly self-composed, wore an expression of troubled rectitude, and seemed rather to be taking part in some ceremony of benediction than standing her trial for a criminal offence. She was charged with stealing an overcoat from the cloakroom of a school. It appeared that she, having waited until all the scholars were engrossed in their studies, crept into the cloakroom, took the coat from a peg, and walked off with it. She carried the garment straight to a pawnbroker's, pledged it, and with the money adjourned to a neighbouring public-house. A detective, in the witness-box, gave her a very bad character. This, he explained, was the only form of crime she was known to have committed, but with that she had been many times charged. This coat stealing was a favourite method with her of raising money with which to obtain drink. As it was in the winter, and very cold weather, these thefts inflicted considerable hardship on the boys who lost them, for they had to go home

coatless. I cannot recall any other form of crime quite so miserably contemptible as this for an adult offender to commit. Fortunately, upon the occasion in question, the woman was seen to enter the school and emerge therefrom with the coat. She was convicted, and sentenced by the judge to a longish term of imprisonment, on the tale of a scathing moral indictment. It was then the lady's expression of countenance underwent a change, and she cast a look at his lordship that was the reverse of affectionate. But it is astonishing how impassive and unmoved our judges can remain in the face of prisoners' ugly looks and lurid invective.

It is usually from those who are guilty of what I have ventured to dub "small crime" that these breaches of good taste and order emanate. I have heard judges and magistrates called all kinds of nasty things by prisoners, but rarely has the occupant of the bench made any sort of retort. Occasionally an abusive prisoner may be recalled and have his sentence increased for making use of threats, but this does not often happen.

There is a good deal of petty crime committed by men who enjoy for quite a long time an immunity from police molestation. This is due sometimes to the man's remarkable cunning, and at others to the difficulty of obtaining evidence against him. It is not sufficient for a police officer to *know* that a certain man has committed a crime to arrest him, he must also be in possession of tangible evidence of the fact. I remember a case in illustration of this. The prisoner, a big,

raw-boned, unclean, servile member of the rag-and-bone fraternity was charged with stealing some trinkets from a house at which he was making a purchase of lumber. It appeared that the tenants were moving, and consequently a state of confusion reigned in the house. This the prisoner took advantage of to accomplish his object, but, unfortunately for him, he was seen to leave an apartment in which he had no business to be. The property being missed, the man was promptly given into custody.

The prisoner made strenuous efforts to build up an alibi, and called all sorts of witnesses to prove that at the time he was supposed to have committed the theft he was actually at home having dinner. A good deal of amusement was caused by the evidence of some of the witnesses : one poor-looking working woman, on being asked at what hour she usually dined, replied, "When I can get it !" How human everything is in a criminal court ! In the end the prisoner was convicted. A detective than gave an outline of the man's career, from which it appeared that he had long been suspected as a thief, although his occupation as a perambulating purchaser of "unconsidered trifles" was honest enough on the surface. But it was this very occupation that he used as a screen to hide the nefarious part of his career. It was his custom, while making a purchase at a house, to take advantage of the occupant's back being turned, and annex anything portable within reach. His progress was marked by a track of lost articles of various kinds. The judge characterised him as a "dangerous man,"

and gave him a stiff sentence. He went into durance protesting that he was as innocent as a "babe unborn." I have heard of that babe many times, and my opinion is that it never will be born.

It is very curious how some criminal careers begin by a drift into "small crime." A disinclination to work, evil associates, want of spending money, the moment of temptation, and the step is taken. I remember the case of a young fellow who was charged with stealing a bicycle from a front garden. He was an idle, ne'er-do-well, with, as not infrequently happens in such cases, very respectable parents. He had had many opportunities of doing the "right thing," but somehow or other he never seemed able to lead an honest and industrious life. He had not been charged before, and seemed to feel his position acutely. During the evidence it transpired that he had at one time been employed as a house painter, and the man who employed him was one of the witnesses. While giving his evidence he was asked if, supposing the prisoner were given another chance, he would be willing to take him into his employment again, to which he replied in the affirmative. This drew a look of astonishment from the judge, who observed, "What, employ him to paint houses after this conviction?" His lordship then went on to state that he had been warned to be on his guard whenever there were painters about his house, as there were undoubtedly a large number of robberies committed by these workmen. Thereupon the witness protested that all his workmen were

honest, to which the judge reassuringly replied, "Doubtless." But the prisoner was not given the chance of employment outside; he was sent to prison, where no doubt he would find plenty to do.

The early age at which some criminals begin their career is astonishing. At a very tender age we find them engaged in pocket picking, purse snatching, and handkerchief stealing—known in criminal parlance as "cly faking." Both sexes are so employed. There is also the evil of petty gambling among boys in the streets, which leads to various other forms of more serious crime. But these are the beginnings, the initial "small crimes," of many a subsequent lengthy criminal career. Such offenders as these may be seen almost any day in our various police courts, and are, of course, dealt leniently with by the magistrates. A birching, a few days' imprisonment, bound over, or sent to a reformatory, are the various punishments, according to the nature of the offence, and the discretion of the magistrate.

Now the employment of small children in the crime of pocket picking suggests an ugly fact. It requires considerable knowledge, skill, and dexterity to pick a pocket with impunity, and it is highly improbable that young children would initiate and put into practice such a method of obtaining a livelihood; they might steal from a barrow or shop, or even snatch a purse, but when it comes to picking pockets their youth is dead against the supposition that they are acting on their own responsibility. The inference, therefore, is that Fagins still abound among the criminal

classes. It requires a good deal of practice to become proficient in picking pockets, and there is no doubt that the children of the slums are taught this nefarious occupation by their elders. They are first shown by their tutors what to do and what not to do, and when and how to "work." They then practise indoors, even upon their tutors, and when they are considered proficient are sent out to gather in a "harvest," generally at the tail of a threat of dire consequences should they fail or get "nabbed."

Sometimes these Fagins are, alas ! the children's own parents. But the parentage of slum children is not always clear and beyond dispute, for they are regarded as "assets" for begging or worse purposes, and are not infrequently "negotiated." Thus families sometimes get considerably "mixed," and the guardians of children are not always their natural parents. As the receiver is worse than the thief so these Fagins are infinitely worse than their pupils. It is a pity that the law cannot lay such miscreants by the heels.

The demoralising influence that their terrible environment has upon slum children is indicated by the curious crimes they sometimes commit. They seem impelled to steal anything they can lay hands on, under any conditions. They even rob one another. Mr James Greenwood, in his book, "The Prisoner in the Dock," relates a curious instance of this. Three small boys, who recently had each a new pair of boots presented to him, were returning home from school. The afternoon was wet, and the streets were very muddy. Poor little fellows, they had become almost barefoot

when by somebody's generosity they were enabled to enjoy the luxury of well-covered feet. As they were passing a narrow alley-way three boys, who had evidently been in hiding, sprang out upon them, each selecting his victim. Bringing them to the ground they removed their boots, with which the youthful highwaymen decamped, leaving their victims to walk home through the mud and wet with bare feet.

For some time the thieves were not found, but, emboldened by success, they once more lay in hiding in the same alley-way, prepared for another similar exploit. Unfortunately for them one of their previous victims happened to see them, and raised an alarm, with the result that one of their number was secured. The others, however, got away, and never were captured, for the prisoner refused steadfastly to give his "pals" away, a form of devotion which suggests the habitual reading of some trashy class of "literature."

There exists any amount of petty dishonesty among small boys of a very cunning kind. I remember a case where a small, chubby, and innocent-looking boy called at a house offering hearthstone for sale. He had only a few lumps remaining, which were in a small sack. The old lady who came to the door was a kindly old soul with charitable instincts, but she didn't use hearthstone. She told the boy so, but he wouldn't take no for an answer. He told a very pitiful tale in the intervals of a hacking cough. At last the old lady consented to buy a pennyworth, but then suddenly bethought her that she had no

change, nothing, in fact, less than sixpence. "I'll get yer change, lidy," said little innocence. "Will you, my son," sympathetically responded the old lady; "very well," and she handed him the sixpence. The boy was about to pick up the sack, but the old lady told him he might leave that behind, and she would mind it for him. Thanking the "kind lidy" the boy made off. With one hand on the sack and the other on the door the dear old soul stood waiting. She may be waiting still for all I know, or young innocence cared, for he never came back.

Although the forms of "small crime" I have indicated above frequently lead, in later years, to larger and graver crimes, it sometimes happens that a criminal may never subsequently depart from the one class of offence, and be always a pickpocket, or petty larcenist, or what not. It may be that he lacks the enterprise or courage needful for a "full-blooded" career of crime, and so he dabbles with it in an amateur fashion, making frequent appearances in the dock. But the crimes I have indicated constitute the initial steps upon the path of crime, and thither we, first pausing a little in order to scrape an acquaintance with those who will be his near and intimate foes, or friends, as the case may be, will follow the wrongdoer.

## CHAPTER II

### THE POLICE

WE are less concerned with the numerical composition of the police force than its concrete methods and the inherent characteristics of its individual members. We have frequently been told, so frequently, indeed, that the statement has been generally received as an indisputable truism, that we ought to be proud of our police force, of our magistracy, our advocates, our judges, in fact of our entire judicial system, from root to tree-top, than which there can be nothing better of its kind. This habit of self-congratulation, however, is a dangerous one, and is calculated to lull us into a condition of false security. Many of our insular boasts, upon being looked closely into, are found to contain little or no bottom. In the minds of certain inspired persons to offer anything in derogation of our protectors of the peace, and the administrators of our law, is tantamount to casting aspersions upon Cæsar's wife. As in the case of Cæsar's wife the above institutions should be beyond reproach. But are they? And was Cæsar's wife? Mr C.'s opinion would be interesting on the point.

It is true that our police system compares very favourably with the systems of other countries; but as the latter are invariably very bad the

comparison is worth very little. We can, indeed, have no standard but our own.

How are police constables recruited, and how do they fare in the force ? They are taken mostly from rural districts, and the would-be constable must proceed in the following manner. He must first procure and fill up a preliminary form, which must embody the fullest particulars concerning himself, including his measurements. The latter are obtained by the chief of the police dépôt, nearest to which he resides. Having filled up this form he must, supposing he is seeking admission to the Metropolitan Force, forward it to New Scotland Yard. If the particulars he has thus furnished are considered satisfactory he will receive a request to come to London and see the authorities. At the same time he will be informed that he does so at his own risk and expense, and is advised, should he be in employment, to obtain special leave of absence. The recruiting day is Tuesday.

There is a similarity between the recruiting for the police force and that for the army. There is an exhaustive medical examination, and the candidate is again measured. There are also more forms to fill up, in which he must give fuller details of himself and his antecedents, and furnish a character from his present or last employer. In age he must be over 21 and under 27, stand 5 feet 9 inches in his bare feet, have a rudimentary knowledge of the three R's, and be considered relatively intelligent and physically strong. He must be free from any form of bodily ailment or deformity, and be cleanly in his habits. He may be married, but must not have more than two

children, and must undergo revaccination. If he does not, in any particular, come up to these requirements, he is respectfully requested not to persevere with his application. But supposing he is successful, he will be required to devote all his time to the force, and not engage in any other business, nor must his wife keep a shop. He must also pay all his debts before becoming a member of the force, or such of them as the Commissioner may direct.

Now for his financial position. He starts by receiving a wage of 24s. a week, and he may rise to the affluence of 32s. Out of this he will have to contribute not more than two and a half per cent. to the Superannuation Fund. His pay day is Wednesday, for the week ending the previous Sunday. In the case of sickness he is liable to a reduction of pay, as also in the case of lodgings being found for him. He is liable to instant dismissal, although it is customary to hold an inquiry into any alleged dereliction of duty. They have a "star chamber" at Scotland Yard, where such inquiries are held. He cannot, however, himself leave the force without first giving a month's notice. If he does so he will lose all pay due to him; and may be charged before a magistrate as a deserter. When he resigns he must deliver up all wearing apparel, and if this is considered to have suffered from improper usage the estimated amount of such depreciation will be deducted from his pay. The widows and children of constables who have rendered fifteen years' service receive gratuities of one month's pay for every year of service. From fifteen to twenty-six years' service the

pay ranges from fifteen-fiftieths to thirty-one fiftieths of wages. Beyond twenty-six years, two-thirds. There are also special pensions for constables rendered unfit for work while on duty, and, in the case of death, to the widows and children. If a constable wishes to retire at the end of three years' service, he may receive back the whole or part of the superannuation sums deducted from his wages.

Such is the financial side of a policeman's career, which, it must be admitted, does not err on the side of generosity, taking into consideration the arduous nature of his work, and the risks he frequently has to run. I do not know whether any of these rules have recently undergone any modification or revision, but that was the condition of affairs up to a short while ago.

These remarks apply, of course, only to the rank and file. There are, to be sure, better positions to be attained, which are filled in various and, I fear I must say, devious ways. In this world it is not always the best to the worthiest, and corruption will creep into the best-regulated institution. The intellectual standard of the force is very low, and the controlling officials find it very difficult to obtain from constables what they call "intelligible reports." This is not surprising, as, as I have already pointed out, they are largely recruited from rural districts, and your bucolic makes a very good police constable —up to a given point. He is good of physique, is proud of and takes care of his uniform, he is amenable to discipline, invariably respectful to his superiors, wonderfully good-tempered at times

under the most trying circumstances, is always ready for a tussle, and can take a lot of "punishment," and his modest salary is not by any means insignificant in his eyes. But—he has got no brain ! I admit you can scarcely expect to get mental phenomena in uniforms at twenty-four shillings a week, but the fact remains that there ought to be more brains in the work.

So far the well-behaved of the force, but I am afraid we shall have to deal with some very black sheep in it. It has been stated, and stated in public, that such a thing as blackmailing on the part of police constables has not been heard of in the force. Such a statement is sheer, fatuous nonsense. Why, the "man in the street" knows better. I fail to perceive what possible good can result from this "whitewashing" process, this blinding oneself to obvious ugly facts. On the contrary, a good deal of evil must be created by it. It is in justice due to the better side of the force that the scoundrels in it should be "posted" and punished. But this cannot be done by making silly denials of glaring facts. I have from time to time spoken with several London magistrates on this subject, and I am at a loss to understand their seeming blind confidence in the sworn word of a police constable. One would have thought that the very bad cases which at various times have come to light of their duplicity and mendacity would have shaken this confidence. But nothing, however, seems to be equal to that task. It is a dangerous infatuation.

Before the recent Street Betting Act came into

force, many police constables were receiving regular incomes from bookmakers, and had been doing so for years. Here is a case in point, the details of which I can vouch for. A bookmaker in a large way of business made his headquarters at a certain suburban hotel. He paid a local detective a pound a week to look after his interests. One day a smaller bookmaker "opened shop" at a public-house a few yards away, outside which he stood, "taking slips." This came to the knowledge of the larger bookmaker, who regarded it askance, and as an unwarrantable incursion into his "place," so he put his detective employee on to the other—in the interests of morality. The detective promptly arrested the small man, and hauled him off to the police court, where he was dealt with in the usual way. For this the conscientious officer doubtless received due credit, the bigger bookmaker's business horizon was cleared, and the detective went on receiving his pound a week.

That a similar kind of extortion goes on in connection with the women of the pavement is beyond all possibility of contradiction. Why, anybody can see it for himself almost any day in the week. Let him go through any of the out-lying suburban thoroughfares at night, and he is almost bound to see some of these women plying their dreadful trade under the very noses of police constables. What is the inevitable inference? Of course this sort of thing would be impossible if the question of prostitution were taken in hand and dealt with as it should be. But that is another matter. Then there are the

indiscreet courting couples, whom decency does not forbid in our various parks ; these form a fruitful field for police blackmailing. It is also true that disreputable members of the force rob helpless drunken men, and that they do habitually swear falsely, and " trim " their evidence.

Yet the London magistrates seem to regard all this as so much fiction. I doubt if the late Montague Williams would have done so though. " Monty " knew life as no magistrate of the present day can possibly know it.

But these are not by many all, or the worst faults of the black sheep of the force. Some time ago I spent an evening at the house of an ex-detective. Why he was no longer in the force matters not here. Suffice it that there were " differences." But how the interview came to take place has a bearing on the subject. It was while the Beck case was still hot in the press, and I had written an article on the subject of police work for a London daily. This came under the notice of the ex-detective referred to, who wrote to me asking me to call upon him, and stating that he could supplement my information by a good deal. I sat with him for several hours, and it was indeed a remarkable story I listened to, not a tithe of which can I set down here. But much of it confirmed that which I have already stated above, and his additional facts were enlightening. The fact that he was no longer in the force lent greater weight to his statements, inasmuch as he was no longer bound by red tape, and was moreover impelled to plain speaking by the natural irritation of his position. There is

no institution in this land where red tape abounds as it does in Scotland Yard. If you go there and put to them the simplest possible question, to which they could give a direct reply that would not compromise the office-stool, they will not oblige you. Suppose, for instance, you ask them whether they have heard anything lately of Bill Bailey, you will have to undergo something like the following ordeal. You will be handed from one officer to another, then taken up in a lift to an upper storey, led along a corridor, and ushered into a small room, and shut in there, having been told to wait. After a considerable pause another officer will enter, and to him you will repeat your question. Thereupon he will point to some printed slips on the table, and direct you to fill up one. It is a kind of small inquisition, but you do so, and hand it to him, and he departs with it, leaving you disconsolate. Another wait and he returns with the information that no verbal answer can be given, nor can you be seen by the officer on duty, and that you must send a letter through the post. You do so, and wait. About two days after a letter arrives bearing the Scotland Yard stamp, and you think at last you have got the information you require. You tear it open, but, alas ! it is nothing more than a bare intimation that your letter has been received, and will be attended to ! Three more days go by, and another letter arrives. At last, say you. You open the letter and, after a very lengthy preamble of ceremony, you are informed that they can give you no information whatever about Mr Bailey. And there it ends.

Is all this really necessary? Life is so short that this wretched waste of time is positively demoralising. It is quite obvious that reforms will not readily be admitted into an institution conducted on such sluggish lines as these.

And the need for reform in our police methods is a crying one. The detective side of it, for instance, the Criminal Investigation Department. The wisdom which directs that a detective must first be a police constable is very difficult to discover. I once questioned a detective on the subject and he defended the system on the grounds that, while a constable, a man obtained a good knowledge of criminals and their methods. This may be, but at the same time the criminals obtain a good knowledge of the constable, and it becomes useful to them when he goes into plain clothes. The constable never wholly shakes off his ambling gait. Moreover, if it were not for the intervening period in uniform many men of intellect, who would prove invaluable in crime investigation, might be recruited into the ranks of detectives. Why not establish a department of civilian detectives, who might serve an equivalent term to that passed in the ranks of constables in making themselves familiar with criminal methods and haunts, which they could very much better do in mufti than in the distinguishing prominence of uniform. Surely it is possible for the human mind to grasp the ramifications of criminal methods without his body first being made a street signpost of! It is preposterous to suppose that a civilian would not make a good detective. But it, at least, is

on a par with a good many other Scotland Yard theories.

Reform is also needed in the business of identification, which has become so perfunctory that it has degenerated into a mere farce, albeit a tragic one. It also furnishes a dangerous opportunity for unscrupulous men to convert the impartiality of the law into a dangerously partial implement of destruction. To place a suspected man in the midst of a crowd, or in a line with a motley collection of his fellow-creatures, is not, as was originally intended, to render him inconspicuous, but to point the finger of accusation almost directly at him—which doubtless is the object aimed at by certain unscrupulous police officers. In fact, as now carried out, the method of securing identification is worse than unreliable. They are first supposed to find a certain number of people from the street or elsewhere who shall be similar in appearance. Now, I ask how long would it take to find, say, only four people in the streets of London, just when they are wanted, who should be confounded one with the other? The thing is well-nigh impossible. Well, upon these occasions as many as a dozen people are sometimes utilised. Then, the subjects having been gathered in, an officer will proceed to summon the witness. Sometimes he has to go a considerable distance for him. Well, what happens on the way? Does the officer keep silent concerning the case, as he should do? Hardly to be expected of that zealous functionary. By the time the station is reached the witness has a pretty shrewd notion of the general appearance of the suspected man,

with the result that the task becomes merely perfunctory.

Then again the police are guilty occasionally of putting to witnesses what are known in legal circles as "leading questions," instead of allowing them to tell a plain unvarnished tale, supposing they have one to tell. For instance, in effect they say, "Now, did you not, on such and such a day, at such and such a time, see a certain individual? Come, now, just think, you must have done." This, too, at a time when the place may be in a state of hysterical excitement over the occurrence. It is a most flagrant proceeding, and would not be allowed for a moment in any court of law. It is by such means that a structure of false evidence is constructed, the highest-minded of bench and bar being subsequently deluded into believing in the monstrous fabrication.

Although it has been denied, by persons interested in denying it, that promotion in the police force goes by virtue of multiplicity of convictions, there can be no doubt that this is so. The man who obtains convictions frequently is regarded as smart, and one to be encouraged; but the constable who leads a quiet, uneventful career will be regarded as "slow," and not worthy of promotion. There is also, for the ends of justice, far too much odium visited on constables by their superiors when they have excusably arrested a man on suspicion who subsequently proves to be innocent, and induces constables to adopt almost any measure to prove guilt rather than be compelled to admit a "blunder."

In fact, one of the most serious drawbacks to most police constables is excess of zeal, and an unwarrantable magnification of their own importance in the scheme of the universe. They are invested with a very large measure of authority, and it seems to be too much for the heads of some of them, and they become rather the masters of the public, than their servants. A reputable citizen, who may inadvertently have committed a trivial breach of police decorum, does not care to be affronted by a self-assertive bull-frog of a policeman ; and such conduct is calculated rather to lead to breaches of the peace than to the preservation thereof.

These sins of commission and omission of the police force are aired periodically, when some more than usually flagrant case of blundering occurs, and while the noise thereat is loudest we are promised all sorts of reforms. But gradually the noise dies down, the promised reforms are forgotten, and things go on as before. The Police Commission has, at the time of writing, been an astonishing long time in labour. It is to be hoped that it will not result in a case of a mountain being delivered of a mouse.

With these police constables and officers, good, bad, and indifferent, our wrongdoer will have a good deal to do, and suffer much unmerited hardship at their hands.

## CHAPTER III

### SOLICITORS

At the very beginning of the book written by Mr Witt, K.C., and entitled, "Life in the Law," appears the following passage :—" Now my mother's family were of the men of Devon, and they boasted first that not one of them had ever been a lawyer. They had been parsons, landowners, farmers and sportsmen time out of mind. One hundred years ago old Mrs Tucker of Exeter said that her grandson was to be a lawyer. ' Why,' said my uncle, ' whatever has the poor boy done that you should sell his soul to the evil one ? ' In later years, and in his extreme old age he said to me, " My dear boy, I suppose you rob a rare lot of people between one year and another. I am an old man and I have known many lawyers, and I never met an honest one yet.' "

These words might very well have been uttered yesterday, and, I dare assert, with far more justification. The late Robert Buchanan once remarked to me, " I do not know how any honest man can be a barrister," and in confirmation of his contention related the following episode. Some years previously, it appeared, Buchanan had written a play for a London manager for an agreed sum of money. The play was duly produced but was not an unqualified success. The manager paid part of the purchase money but

would not complete the transaction on the plea that the play was an indifferent one, and not worth the money asked. Hence arose an action at law, with Buchanan as plaintiff. During the hearing of the case the advocate for the defendant read extracts from the play to confirm the contention of his client, and read them so badly that he was interrupted by the judge with the remark, "Why, Shakespeare read in that manner would appear indifferent!" Subsequently the defendant's counsel, who happened to be a personal friend of Buchanan's, met him in the corridor and said, "I read your play right through last night, and I thought it was very good." Now, Buchanan maintained that the advocate must have either been lying in the court, by intentionally reading his play badly, or to him in the corridor. In any event he was, said Buchanan, dishonest.

I do not agree with this version of the incident, inasmuch as the art of advocacy is the suppression of self in the interests of the client, and misrepresentation is allowable—within bounds. But if the remark had been applied to solicitors it would have had some force, for, taken as a whole, they seem to be about as dishonest a body of professional men as is to be found in a day's march. Mr Wheatley, the police court missionary, once remarked to me, apropos of some remarks of mine concerning a certain class of criminals, "The fingers of some men always seem to be sticky!" The fingers of many solicitors must be equipped with suckers, for whatever they handle adheres. Scarcely a day passes but one or more of these despoilers of the widow and orphan are being

dealt with in a police court, sentenced in a criminal court, or struck off the rolls in the High Courts. Recently Mr Justice Jelf, at the Old Bailey, in sentencing a solicitor to penal servitude, gave him a very severe "wiggling," remarking that it was such men as he who brought discredit upon the solicitors' branch of the law. His lordship exhibited considerable warmth and resentment, and it is doubtless very unpleasant for a judge to have to sentence a member of a branch of his own profession as a common thief.

There must be a rather large percentage of solicitors, or ex-solicitors, in our various prisons. I am rather at a loss to account for this constantly increasing dishonesty in the law. Is it the method of entry into the ranks of solicitors that is to blame? It seems that any man who has the money necessary for the fees, and has the wit to pass a certain examination, can be a solicitor, in spite of his origin or moral character. I know by sight and repute several young men, full-blown solicitors, who are perfect moral reprobates, and to whom I would not trust a farthing's-worth of business. Such individuals as these could never enter the profession of the bar. A barrister is always a gentleman and a man of honour. In fact, to be a member of the bar, even a briefless one, is to bear the hallmark of distinction, or the "guinea stamp." Why should solicitors be such a questionable lot? Is it that the opportunities they have for plundering are too much for their moral fibre? It is a fact that some people have a perfect mania for placing things in their solicitors' hands, as others have a weakness

for going to doctors. If the latter experience an alien ache in their little toe—a doctor. If the former's next-door neighbour's cat scratches a plant up in the garden—a solicitor. Doubtless both solicitors and doctors respectively are pleased to see them, but it is a stupid waste of money.

There are, of course, plenty of upright solicitors, for whom one must feel some sympathy, for they are overshadowed, so to speak, by their dishonest brethren. I know there exist many people who are sceptical as to there being such a thing as an honest solicitor, lack of opportunity only keeping most of them straight. But many of the solicitors who practise in the criminal courts work very hard and conscientiously for their clients. But the percentage of dishonesty in their ranks is alarmingly high, and the canker seems to have eaten into their very vitals. Things must indeed be very bad in the profession, for that slow-moving body, the Incorporated Law Society, is initiating measures to "bridle," so to put it, the members of the profession—in other words, to have some control over their clients' money.

But even in the criminal courts, where human life and liberty are at stake, some of them cannot be honest. Here is an incident, illustrative of this, which I once witnessed at the Old Bailey. It was the opening of the sessions, and the judge was taking the pleadings. I should explain that all the prisoners who are on the calendar are taken in rotation and called upon to plead to the indictment. They are then put back, and when all have thus been dealt with the evidence is taken in each case. Very impressive and interesting

is this motley procession, at times very saddening. Well, upon the occasion in question one of the prisoners was a well-dressed, rather respectable-looking man, who was very deaf. So deaf, in fact, that the questions put to him had to be bawled into his ear by the jailer. This hapless condition of the prisoner struck the judge somewhat forcibly, and the following scene ensued.

*Judge.*—“Is this man represented by counsel?”

*Voice (from somewhere).*—“Yes, my lord.”

*Judge.*—“Who by?”

*Barrister (rising to his feet).*—“I am supposed to represent him, my lord, but I can only say that I know nothing about the case.”

*Judge.*—“But have you not been instructed?”

*Barrister.*—“No, my lord.”

*Judge.*—“Just ask the prisoner whether he instructed his solicitor to engage counsel.”  
*(Jailer bawls the question, and the prisoner's reply is in the affirmative.)* “Ask him whether he gave the money for counsel to his solicitor.”  
*(The question is put, and again the reply is in the affirmative.)* “Who is the solicitor?”  
*(Somebody mumbles something.)* “Where is he?”

*Voice (from the back somewhere).*—“Here, my lord.”

*Judge (hotly).*—“Come forward!”

*(Commotion at back. A man shamefacedly emerges from the throng and advances to the front of the bench. He is very nervous. This is the solicitor.)*

*Solicitor (shuffling his feet).*—“Shall I stand here, my lord?”

*Judge (shortly).*—“Stand where you like—I

don't care where you stand ! Now, attend to me. The prisoner in the dock says he has instructed you to engage counsel, and has paid you the necessary fee. Is that so ? "

*Solicitor (stammering).*—" Yes—yes—my lord."

*Judge.*—" Have you done so ? "

*Solicitor.*—" No, my lord."

*Judge.*—" Why not ? "

*Solicitor.*—" I—I—I—was just going to do so, my lord."

*Judge (very seriously).*—" Do so, immediately ! "

*Solicitor.*—" Yes, my lord." (*Crawls away, looking much less of a man than the prisoner in the dock.*)

It was an unpleasant incident. The inference is obvious and ugly. The man was subsequently acquitted.

This solicitor was not much better than the average "shyster" lawyer of America, described so eloquently by Mr Arthur Train in his book, "The Prisoner at the Bar," who is rather worse than the prisoners he is supposed to defend, but whom he frequently leaves in the lurch, having first bled them of all their available cash.

Here is another dirty trick of shady solicitors. Suppose a man instructs the solicitor to apply to a certain individual for a sum of money, which he, the client, considers is due to him. The solicitor proceeds in the ordinary course, bombarding the individual with letters containing a variety of threats of pains and penalties should the addressee not comply with the demands made upon him. It is surprising how

some people are impressed and intimidated by solicitors' letters, which are very frequently nothing but froth—dirty froth, I admit. Suppose, then, the individual in receipt of such a letter can show very good reason why he does not owe any such amount, and not being a man to be frightened by legal jargon, tells his correspondent that he has not the slightest intention of complying with his request. It is highly probable that the solicitor also knows he has no case, but he will continue the epistolary warfare as long as he can, for the more letters there are the more fees will accrue. He stands to win something in any event. Well, when he has exhausted all his miserable subterfuges and threats without getting any "forrader," he ceases his persecution and informs his client that there is no chance of getting the money, which he should have done, had he been an honest man, at the very outset. So the matter drops so far as the client is concerned, who dismisses it from his mind. Not so the solicitor, though. He makes a note in his diary, and some weeks or months later on resumes correspondence with the individual, and endeavours to get the money "on his own." If he gets it he pouches it, saying nothing to his client about it. Of course his client never expects it, so never refers to it. If it does not come off it does not matter. It is safe enough. A solicitor is licensed to indulge in any form of cheating or extortion, supposing he cares to descend to it, and apparently a good many of them do.

I remember another very contemptible trick which a solicitor once played on an unfortunate

client of his. The latter was convicted of some minor offence, being fined a certain sum, in default so much imprisonment. The man paid the fine, handing the money to the solicitor to pay into court. But those suckers got on it and it never reached the court, with the result the man was arrested and hauled off to prison. Now the solicitor was very low down in the scale of human nature, one of those unclean parasites which it has always been a mystery to me can ever contrive to get themselves into a profession that seeks to claim for itself a vestige of dignity or prestige, and had not sufficient to release the man, so he had to serve the short term of imprisonment.

We used at one time to hear a great deal about the old family lawyer, that walking embodiment of secrecy, affluence and perfect integrity, one of those men you might trust your soul with. I had an impression at one time that perhaps this legal peculation was a modern growth, due to the spread of education, and began to lament the decay of the old-time lawyer. But investigation dispelled this pleasant illusion, and I found that the old family confidant with the irreproachable exterior was not a whit more honest, speaking generally, than are his successors of to-day. In fact those who in the past practised in the criminal courts were rather worse than the shady ones of the present day, and nearer akin to the American "shyster." There were those who extracted fees from luckless and too-confiding prisoners on the plea that they could get them off, when they knew all the time there was no earthly chance for the prisoner.

I remember a very amusing incident in one of our police courts in this direction. A prisoner had engaged a solicitor to defend him, and while the latter was speaking on his behalf he suddenly broke in with, "Why, he dunno wot the devil he's talking abaht!" Thereupon the magistrate informed him that if he was dissatisfied with his advocate's capabilities he could, if he chose, defend himself. This he elected to do, and in the end was acquitted, the magistrate remarking that had the case been left to counsel he would unquestionably have been convicted.

It would seem that there has always existed a large measure of dishonesty in the ranks of the solicitors' branch of the law, which is not very easy to account for. I once consulted a friend of mine who has passed a long career in the law, and he attributed it mainly to the custom which has lately grown up of solicitors embarking in money-lending transactions—at least, that is how he accounted for a deal of the present-day dishonesty in the profession. But it has been the bad custom for many years for solicitors to speculate with their clients' money, to the latter's repeated loss and discomfiture. The individual who, in the light of the present moral status of his profession, entrusts money to a solicitor to invest is a fool, and deserves to lose it.

The late Montague Williams, in his book of reminiscences, entitled "Leaves of a Life," gave a very striking instance of root-and-branch dishonesty in a firm of solicitors which for many years had been regarded as a pattern and type of firm to be emulated and lived up to. Un-

fortunately it proved to be a case of living down instead of up. It is a singularly dramatic narrative, and describes the elopement and subsequent arrest of the head of the firm in quite a thrilling manner. The character, too, of the old confidential clerk, who for some time had been aware of the "cooking" of the accounts and the hopeless condition of the firm's finances, is most deftly and impressively described. This was one of the "pillars" of the law of which at one time we used to hear so much, but which, it is noteworthy, are not to-day talked of to such an extent.

Such, then, are solicitors, and they play no inconspicuous part in the crime of the day, either in swelling the ranks of the convicted criminals, or in their treatment of those to whom they owe a duty. Our wrongdoer will have no reason to bless some of them.

## CHAPTER IV

### ADVOCATES

WE are concerned only with the members of the Criminal Bar, whom we shall find much more interesting than are their learned brethren who practise in the civil courts. Or perhaps I ought rather to put it that their work is more interesting. I hold it that it is a proud prerogative to fight for the precious gifts of life and liberty on the one hand, and for the vindication and majesty of law and justice on the other. Strictly speaking a barrister is not supposed to be a paid servant, or to receive "fees," but to be a gratuitous pleader. The money he subsequently and invariably receives is regarded only as a present or honorarium, an expression of gratitude for what he has done for those for whom he has done it. "A rose by any other name——?" Quite so, but etiquette and honour must have some such polite binding. From time immemorial it has been the custom in the profession to absolve the barrister from the liability of giving a receipt to a solicitor for money received, nor can he sue the latter should he fail to "pay up."

I am afraid the profession of the bar is not a very roomy one, nor are the prizes too plentiful. And for those who succeed it is a very arduous life, more so than most people imagine. Many of those who have been "called" scarcely ever see

a brief, and never become known to any sort of fame. You may see them wandering in and out of the various courts, in wig and gown, watching with lack-lustre eye the efforts of their more successful *confrères*. To be sure many of them were never intended by nature for the profession they have adopted, and constitute very indifferent pleaders. There are square pegs in round holes in every profession, which is mainly due to parental mistakes. Occasionally they drift into other professions, which they may possibly contrive to adorn. There is a constant process of drifting going on in this world.

A barrister, although he has access to any prisoner he may be defending, receives all his instructions, embodied in a brief, from a solicitor, and he grounds himself in the elements of the case therefrom. Thus the client, or prisoner, reveals his defence to the solicitor, and the latter passes it on to the pleader. The solicitor's work does not, however, by any means stop here. He keeps constantly in touch with the prisoner, and has consultations with the barrister, and when the trial takes place he keeps a vigilant eye on the proceedings, plying the barrister with fresh material if any should turn up, and giving the barrister "pointers" during the proceedings. Sometimes the solicitor's zeal is a little too much for the advocate, who has mastered the case for himself, and does not want his train of thought thus constantly interrupted with information which he may regard as irrelevant. Of course a barrister knows a good deal more about judge and jury than a solicitor, whose sphere is the preparation



'THE HEAD OF THE CRIMINAL BAR.'  
Sir Charles W. Mathews.



of the case. By the time the latter comes into court the advocate has decided on his line of defence, supposing it is a case of any size or importance, although it does sometimes occur that an additional material fact or two may leak out in the court which the advocate is glad to avail himself of. There are also the cases where a barrister is suddenly pressed into the service of a prisoner through the medium of a " docker"—a fee for a pleader's services handed direct from the dock. During the progress of a case it sometimes happens that a prisoner will be plied with innumerable questions both by the advocate and the solicitor, with possibly a third interrogator in the shape of the solicitor's clerk, which seems to suggest something loose in the preparation of the brief, or reticence on the part of the prisoner. It is very curious how reticent some prisoners are, even to the withholding of facts calculated to operate to their benefit.

As is generally known, the acknowledged head of the Criminal Bar is Sir Charles Mathews, than whom there has never been a greater ornament of it. I know Sir Charles himself would pooh-pooh this statement, and mention the name of the late Gerald Geoghegan, but, with all due respect to the memory of the late brilliant advocate, such an opinion can only be received as an expression of Sir Charles's modesty. In these days when titles are acquired in devious ways, and are not always, as they should be, significant of some worthy achievement, it was very gratifying to know that one who had laboured so worthily

and well had received titular distinction at the hands of his Sovereign.

As I have already intimated, a great many people have no conception what a life of brain-strain is that of a successful barrister like Sir Charles Mathews. Anyone knows by experience who has spent but a day in a criminal court what a call it makes upon the vital resources. When you multiply this by many days, add the exhaustion engendered by examining, cross-examining, and declaiming, the consultations and studying of briefs in chambers, the anxiety of it all, you will have some idea what a strenuous life it is. I confess I often wonder how Sir Charles can keep it going as he does. But when a man's heart is in an occupation it is astonishing what a lot of work he can get through.

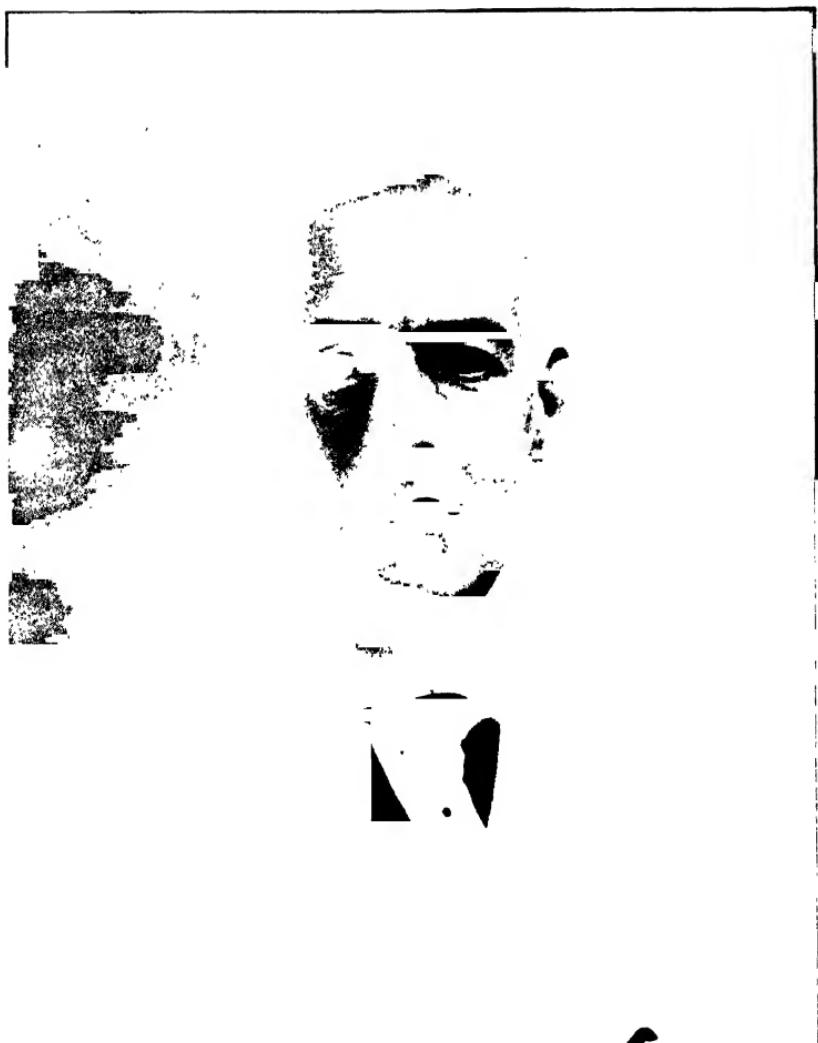
Sir Charles is small of stature, deft and agile of body and mind. He has a wonderful power of grasping and marshalling facts, and a most retentive memory, as is indicated by the few times during a case he has recourse to his brief. He has absorbed the story, and it is all in order from A to Z. He knows precisely where he will make a "point," and if a witness presumes to take any liberties with veracity Sir Charles has him "fixed" with mathematical precision. It may be a little time coming, but the "overthrow" is sure to arrive. I recall a case in point. A woman, one of those brazen liars who cause so much mischief in this world, had gone into the witness-box with the express intention of relating a most mendacious story. She piled lie on lie, and as she did so Sir Charles metaphorically kicked them away

and down she went, only to rise again and repeat the process, with the same result. The lady had a very uncomfortable two hours, and in the end slid out of the box a pitiful mass of moral pulp. One experienced a certain grim satisfaction in witnessing the discomfiture of this creature. "Colonel" Lamb, of the emigration department of the Salvation Army, once observed to the writer, "I always feel sorry for the drunkard. He punishes himself, and in addition is held up to the scorn of his fellow-creatures. But the liar and slanderer commit their infamies with impunity." It is so. For every poor destitute criminal, bankrupt of all the world holds acceptable, who is lashed with the thongs of justice and outraged law, there are scores of smug and well-clothed liars and slanderers who receive no punishment for their wrong-doing. The amount of perjury which is daily committed in the Divorce Court is simply colossal, perjury which breaks up homes and ruins lives, yet never a soul is brought to book for it, or very rarely so. It is painful to think of.

I have listened to innumerable speeches by Sir Charles Mathews, but nothing at once so virile, dramatic and trenchant as that he delivered in the prosecution of a Frenchwoman who was charged with throwing vitriol in the face of one of her own countrymen. It is no exaggeration to say that during this forensic oration Sir Charles held the court in the palm of his hand. The prisoner seemed to shrink and quiver under his invective, his expressive face at the same time attracting yet repelling her. I shall make further reference

to this case later on when I deal with the crime of vitriol-throwing.

It sometimes happens that a barrister who practises almost exclusively in the civil courts makes occasional incursions into the criminal courts. Possibly a solicitor selects his pleader according to the latter's adaptability to deal with the characteristics of the case in hand, or maybe the prisoner may express a desire to be defended by a particular barrister. Of course most criminal prosecutions are brought by the Crown, and the advocates who conduct them are "Crown counsel," and are retained by the Public Prosecutor. But in defence the field is wider, and in it there is more scope for the rising barrister. The most eloquent speech I have ever heard made in defence of a prisoner was that delivered by Mr Henry Fielding Dickens, K.C., in defence of "Kitty" Byron at the Old Bailey. It was a perfect gem of forensic eloquence. The case was one of those pitiful human tragedies which make a strong appeal to the emotions. It was quite clear that Mr Dickens experienced deep concern and sympathy on behalf of his client, and that the man as well as the advocate spoke in her defence. During a long course of miscellaneous journalism, during which one sees life here, there and everywhere, in all forms and phases, one cannot escape a certain process of case-hardening, but I must confess that on the occasion in question I experienced considerable difficulty in maintaining control of myself. That the advocate was himself genuinely moved was obvious ere he had uttered half-a-dozen words of his closing speech. What a scene the



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'HE WAS EMINENTLY ADAPTED FOR DEFENCE.'

Mr. Arthur Hutton.



court presented ; what a picture for brush or pencil ! It is at such times as these that one realises the greatness of advocacy. It will be remembered that Mr Dickens prosecuted in the Peasenhall case.

One of the most gentlemanly and suave advocates I have ever seen was Mr Arthur Hutton, since raised to the magisterial bench. He was eminently adapted for defence, on which side he was invariably retained, and, during his career, he defended some of the worst miscreants who ever stepped into the dock of the Old Bailey. I have always thought that Mr Hutton was somewhat unfortunate in his cases, inasmuch as he invariably had the ungrateful task of defending a prisoner for whom it was difficult to obtain much sympathy, and whose offence was brutal and only too obvious. He did not have too many of what are known technically as "good fighting cases." But he always did his conscientious best.

Although all barristers are of course available for either prosecution or defence, yet there are certain advocates whose gifts seem to fit them pronouncedly for one side or the other, as in the case of Sir Charles Mathews for the prosecution, and as Mr Hutton was for the defence. But in Mr R. D. Muir we have an advocate who seems to be equally at home on either side. He is one of the most careful, deliberate, and self-contained advocates at the Criminal Bar. I have scarcely ever seen his composure disturbed, and for directness of purpose and clarity of style he stands unrivalled. He is also very busy, for you may see

his name associated with innumerable cases. Slowly and deliberately he tells off his facts, whichever side he happens to be on, commanding attention and silence. I remember one of his defences in a case in which I had the honour of helping him to a verdict, inasmuch as I formed a component part of the jury. The prisoner was charged with fraudulent bankruptcy. Now this is a very serious offence, and a man may get seven years' penal servitude for it, so it is imperative that the charge should be proved beyond all doubt. The case in question seemed to have been got up in a rather slovenly manner, and the evidence was not strong enough to hang a dog on. Counsel for the prosecution, however, did not think so, and was rather easy-going about it. But Mr Muir saw its inherent weaknesses, and before the case had proceeded very far had succeeded in getting several counts of the indictment struck out, the judge supporting him all through. In fact, this "whittling" process went so far that at one time I began to think there would be nothing of the charge left for us to try. However the remaining counts were fought stubbornly, the case lasting the whole day.

These financial prosecutions are very dreary, and one was very thankful for the little joke perpetrated by Mr Muir during the course of this case. At many of Mr Muir's statements the junior counsel for the prosecution shook his head vehemently, although he said nothing. This continual dumb contradiction at length got on the customary patience of Mr Muir, who blurted out, "I do not know why my friend keeps shaking

his head, whether it is that he has palsy, or that there's nothing in it!" It was, of course, not a new joke, but it was very acceptable, for it was a treat to be able to release one's countenance for a few moments.

It is curious how some advocates drift in and out of notice, while others remain constantly in public regard. I have lost sight lately of Mr Guy Stephenson in the criminal courts, who, I remember, had an uncomfortable time with a judge at the Old Bailey during the "false issues" controversy. Also I have not seen Mr Ernest Wild lately. He defended Gardiner in the Peasenhall case, and also some years before Mrs Chard Williams, the Battersea baby-farmer. He is always a good fighter for the defence. In the latter case I remember him making strenuous efforts to upset the evidence of a police constable, who was rather self-important about his knowledge on the subject of knots. Some important evidence turned on some peculiar knots found in a certain piece of string. The knot was one known as a "fisherman's bend," and was not an ordinary knot. This string was found round the body which was the subject of the charge, and similar string, containing similar knots, was discovered at the house where the prisoner resided, from which the importance of the constable's evidence can be deduced. Mr Wild also saw it, and wrestled for a long time with the point, making knots with a piece of string on a black ruler in order to demonstrate that anybody might make such a knot. His concluding speech lasted something like two hours and a half, and altogether his was

a valiant effort on behalf of the prisoner, who was, however, eventually convicted.

Mr George Elliott, a short, comfortable, fresh-complexioned gentleman, always inspires one with his whole-souled devotion to his clients' interests, especially if that client happens to be of the fair sex. Of course this gallantry is very praiseworthy, although too great a surrender to sentiment is liable to lead strict justice awry. In a recent case Mr Elliott declared with considerable emphasis that he intended to make a "hammer-and-tongs fight of it," and he did so, winning a considerable victory. I shall make further reference to this in a subsequent chapter. Mr Elliott is certainly a very earnest advocate.

Mr Baggallay, the magistrate, has a son practising at the Criminal Bar, as also has the Recorder, Sir Forrest Fulton. The brothers Gill, Charles and Arthur, are very busy advocates, and there are many others of varying merits and capacities.

There is no doubt that a prisoner in this country has as fine a chance as a man can have at the hands of counsel, who are unremitting in their efforts on behalf of their clients. Our wrongdoer will have real cause to be grateful to them.

## CHAPTER V

### JUDGES

It is difficult to understand how certain of our judges contrived to get on to the bench, and being there why their presence is tolerated. In the appointment of judges it is not a question of fitness, but cliqueism. It is controlled not a little by politics—that infallible perverter and corrupter of men's minds. A man does something for his "party" and he is made a judge, a knight, a peer, or given some fat sinecure of an office. He may have given his party of his mind or his purse, it matters not which. This might be tolerably harmless in some instances, but the appointment of judges should be a sociological and not a political matter. A judge exercises wide and important powers over the lives of the people, and anything in the way of political bias is mischievous and unwarrantable.

A judge needs to be impartial as much as any man breathing, yet how frequently we see that he is not, that, indeed, he is grossly partial. That he should hold the scales of justice with a firm, fair hand, standing apart from the litigious, contentious side of a case, is also obviously necessary, yet how frequently do we see him forcing upon the court his own prejudices and logical failings. Presumably trial by jury was established as much for the protection of the accused person as for

the just and due administration of the law. Nowadays this institution is occasionally not altogether unjustifiably referred to as a "farce," for it not infrequently develops into trial by judge. It is a matter of impossibility for any frequenter of our courts of law, both civil and criminal, however experienced he may be, to form an opinion as to what the verdict in a trial will be at the conclusion of the evidence, pro and con. But before his lordship has gone far with his summing-up he will be able to venture a very good guess ; when the summing-up is ended he could, almost invariably, put his last shilling on the result with comparative safety.

Now the security of trial by jury is that you have twelve "good men and true," who, although individually imbued with failings, foibles, and prejudices, which are the natural inheritance of mankind, must be unanimous in a decision based upon evidence, for and against, placed before them. Now if twelve "good men and true" all arrive at the same conclusion the balance of probability is overwhelmingly in favour of that being the correct solution. But if the judge arrogates to himself the right to take captive those collective minds and incline them to his way of thinking, the security of trial by jury at once disappears and the prisoner occupies a most perilous position.

Cases are popularly supposed to be decided by weight of evidence, which is not infrequently a fallacy, for to the weight of the evidence is sometimes added the weight of the judge's personal opinion. This sometimes weighs much heavier

than the evidence in the minds of the jury, and is given undue significance, being utilised on one side or the other as the case may be, according to how his lordship's mind may happen to be swayed by these same failings, foibles and prejudices which are inherent in him. The manner in which some judges contrive to get their own convictions into the minds of the jury, while at the same time displaying a certain degree of impartiality is very subtle. They do it in this way. "The prisoner at the bar states that he was not at the place named at the hour stated by the prosecution. Of course"—with an indulgent smile—"the prisoner has a perfect right to make such a statement. But it is for you, gentlemen,"—patronisingly—"to say whether you believe him or not." Puts on incredulity. "It is not for me to say whether I believe him or not. I might believe him"—shrug of the shoulders—"or I might *not*!"—with emphasis. "It is for you, gentlemen"—engagingly—"to decide the point."

Now it is a thousand to one, in the face of this improper procedure, the jury will decide against the luckless prisoner. There are also the irrelevant pronouncements which too frequently emanate from the bench, and which are usually very tiring. Suppose a judge is presiding over a trial for, say, poaching, incidentally we may be favoured with his lordship's opinions upon bimetallism, economics, or the moral status of the liquor traffic. All this is to confuse the minds of the jury. The Lord Chief Justice recently made a "tilt" at this kind of thing.

I recall a very striking instance of a judge's partiality and prejudice in a trial for murder at the Old Bailey—I mean the old court, the one that is now "to let." It was one of those neurotic tragedies where the victim had been hurried into the hereafter by her love-maddened admirer. The circumstances were painful, being one of those cases which call for merciful consideration. Even the prosecuting counsel struck a sympathetic note on behalf of the accused. Not so the judge, however. This sympathy seemed to irritate him, and it was clearly not to his liking. In his summing-up he kept referring to "that poor gel"—pronunciation on the bench is sometimes curious—and harping on the dead to such an extent that one began to feel quite "creepy." All this, of course, was done to divert the question of mercy from the minds of the jury. "Oh, upright judge!" It was, however, gratifying to learn that the jury were proof against his lordship's blandishments, and added a "rider" of mercy to their verdict. Human life and liberty are too precious to be paltered with by an acrimonious and one-sided judge.

Then there is the judge who wastes time. I remember an amusing incident at the Old Bailey in illustration of this. The case under consideration was a very simple one, and the truth obvious to the meanest capacity. But the judge summed up at inordinate length, and in a soporific drone. On and on flowed the judicial stream like the immortal brook. The court grew weary. The jury shifted about in their seats and yawned. The barristers crept out of the court, and made

their way upstairs to the “snuggery,” there to engage in free discourse concerning his lordship’s loquacity. The prisoner nodded and dozed, fast falling into the merciful arms of Morpheus, and an usher, pulling his sable robe about him, and whispering an excuse to his *confrère*, mingled with the shadows. At length the writer, with a splitting head—the word-stream was still flowing from the mouth of the oracle—crept away to the corridor without. Two doors, within a few feet of each other, gave on to the latter. At each door was a uniformed janitor. These men had been reduced to a condition of insubordination, and were busy making as much noise as possible. They were opening and shutting the doors, and banging them. At length their heads popped out simultaneously, and in a fierce whisper called one to the other, “He’s had his brandy-and-soda !”

That a judge may admit well-deserved mercy into a case without loss of dignity to the law was proved by Mr Justice Darling, while trying a case I have already referred to, that of “Kitty” Byron. In his admirable summing-up to the jury he defined the position quite clearly, at the same time he confessed that it was a case for merciful consideration. In effect he said, “This is a clear case of murder”—as it was according to the literal letter of the law—“and our duty is plain. I am here to direct you on points of law, and it is for you to give expression to that law. We have no other alternative. The question of mercy”—and here his lordship cast an eye of pity towards the dock and exclaimed,

"And God knows she needs it!"—"is for the consideration of another tribunal." He then practically directed them to add a rider of mercy, which they did. Here mercy was done full justice to, and the majesty of the law suffered not one iota. On the contrary it gained in quality by such deft treatment. It is true that the death sentence was pronounced, although it was never intended to carry it out, but that was the fault of the law and not of the judge. I have, however, one complaint to make against his lordship. Why, Sir Charles, did you pick up the glittering weapon with which the crime was committed and test its edge by cutting off a length of a pen-holder? Such a proceeding was unworthy of you, and was very near the "gallery." What is termed "playing to the gallery" is a bad fault of many of our judges. A little while ago, Mr Wallace, K.C., in sentencing that curious nobleman, Lord Neville, made use of the words, "I shall inflict upon you as severe a punishment as though you were an ordinary working-man." Such observations as these are mere histrionic twaddle. The sentence certainly was severe for the class of offence.

When it was first mooted that Mr Charles Darling was likely to be raised to the bench, it was predicted in a certain quarter that he was too witty a man ever to be appointed a judge. Why success upon the bench should be incompatible with a sense of humour is not too clear, and in the case of Sir Charles Darling I maintain has been completely contradicted. He is one of the wisest and most deft of them. It should



'ONE OF THE WISEST AND MOST DEFT OF JUDGES.  
Mr. Justice Darling.  
(Specially taken at the Law Courts.)

Russell



be common knowledge that a man possessed of a sense of humour is also possessed of common-sense, and the man possessed of common-sense is the best-equipped authority to deal with litigious matters. All mortal disputes are born of mortal foibles, and in the due and fair administration of justice upon them a keen and comprehensive knowledge of human motives is invaluable. A man so mentally endowed must of necessity have a full appreciation of the comedy of life, which treads upon the very heels of its tragedy, for the knowledge of the one brings the knowledge of the other. Too great a reliance on the dry-as-dust letter of the law is not healthy. I had the pleasure of a chat with Sir Charles some time ago at his town house, and I was much impressed with his broadmindedness and insight into human nature, as exemplified by his opinions on the various topics we discussed. A liberal mind is a fine thing in a judge.

I will now venture a few remarks concerning a judge who has been much in the public eye of late. I refer to Sir Ralph Littler, Chairman of the Middlesex Quarter-Sessions. No judge has been more abused in the public press than he has, on account, it is alleged, of his severe sentences. I determined to endeavour to form an opinion for myself concerning the personality of Sir Ralph, and sought an interview with him for that purpose. He was good enough to consent to receive me, and I had a long chat with him in his private room at the Sessions House. I came away with "mixed" feelings, but with one predominant conviction in my mind—namely, that Sir Ralph

Littler was not the vengeful judge he has been represented to be. It would seem, however, that this judge's sentences are sometimes severe, and that he has spread dismay through the ranks of criminals. I know this to be true. Your "habitual" would rather be tried by any other judge than Sir Ralph Littler. There may be a justifiable reason for this. Society must be protected from the "habitual" criminal, and the longer the periods of his confinement the fewer will be his opportunities of returning to his nefarious enterprises, which he will assuredly do upon release. I do not think it can be shown that Sir Ralph Littler has inflicted long sentences upon any but "habituals." Misplaced leniency on the bench may be far more disastrous in its effects than that which at first sight appears to be judicial severity. It is sometimes necessary to be severe to one in order to be just to many. After all, the length of a sentence passed upon a prisoner is less important, to himself and to others, than the treatment he receives while in prison.

Sir Ralph himself claims to be a lenient judge, and one who believes in giving a man a chance if it is possible. It is a fact that he was one of those who initiated what is known as the Victoria Fund. It came about in a curious manner. Some time ago Sir Ralph sentenced a couple of poachers to five years' penal servitude for nearly killing a gamekeeper. After the sentence was delivered, the wives of the men came to Sir Ralph and begged him to reduce the sentence as it meant the break-up of their homes. This the judge refused to do, although he instructed

the police to make inquiries on behalf of the women. The result was satisfactory, and among other things the police discovered to the credit of the women was that one was very handy with the mangle and the other with the sewing-machine. Thereupon Sir Ralph bought one a mangle and the other a sewing-machine, at the same time instructing the police to levy a small charge on the articles, so that they might not be seized for rent. Time passed, and one night while Sir Ralph was working at his house in town his servant announced to him that a couple of rough-looking men were asking to speak with him, and advised him not to see them. He, however, was determined to do so, and directed that they should be shown in. A few moments after two raffish and somewhat sinister-looking men walked into the apartment, and stood before the judge. "Well?" queried the latter. "P'raps yer don't regognise us, gov'nor, eh?" said one of the men. "No, I do not," agreed the judge. "Well, some years ago," went on the man, "you sentenced us to five years' penal for bashing a gamekeeper!" "Oh!" was the judge's monosyllabic utterance, and he began to feel uneasy. "Well," proceeded the ex-convict, "while we've been away we've found out as how you've been good to our wives, and have kep' our 'omes a-goin'. An' it's fur that kindness we've come 'ere to-night to fank yer!"

It was out of that incident that the Victoria Fund arose, which is always at the disposal of those charitably disposed towards deserving prisoners and their friends. The incident was

related to me by Sir Ralph himself, as were also the following.

On one occasion he interested himself on behalf of a man who had undergone a good deal of imprisonment, and obtained employment for him. For seven or eight months the man worked satisfactorily, then all at once, and for no apparent reason, he set forth on a shoplifting expedition. In another case Sir Ralph Littler's good offices were solicited and rendered under the following circumstances. A letter was once delivered for the judge at the Sessions House, and in it the writer stated that he had served three terms of penal servitude, but that for six years he had led an honest life. He was now, however, laid up with illness, that he had been told he would have to go into hospital, and after that to a convalescent home. This meant, he explained, the break-up of his home, unless somebody lent him a helping hand. Would his lordship assist him? Sir Ralph did not recollect ever having had the man through his hands, and sent the police to make inquiries, with the result that the man confessed that he had never been sentenced by Sir Ralph, but had applied to him as he had a reputation for that kind of charity. As a result the man was got into the Westminster Hospital, afterwards into a home, his home meantime being kept going out of the Victoria Fund.

Now these are good deeds, and make for reform. Sir Ralph did not inform me when they occurred, but they certainly go a long way towards contradicting the reports of his lordship's severe attitude on the bench. He further maintained

that penal servitude was regarded as a much severer punishment than it really was, a fact due to an utterance of Lord Coleridge some years ago who, while sentencing a prisoner to penal servitude, declared that he was sending him to "slavery." Since then, Sir Ralph declared, the term "penal servitude" had conveyed an unmerited significance, and that two years' hard labour is a much heavier punishment in regard to physical pain than five years' penal servitude. I quite agree with the last statement, but the longer terms of penal servitude, such, for instance, as ten, fifteen, and twenty years', constitute very terrible fates for anything in human shape. People who speak lightly of the punishment of penal servitude are speaking without thinking, or they are devoid of imagination.

It is at all times advisable to adopt lenient measures when such a course does not violate wisdom or operate in a detrimental manner on expediency, for it is essential to reform that justice should not be strained, that she should go hand-in-hand with her gentler sister, mercy. The relations between habitual criminals and organised society are sufficiently tense, and need no accentuating.

Our wrongdoer will find it difficult to regard his earthly judges as his best friends.

## CHAPTER VI

### THE JURY

THERE can be no safer tribunal than trial by jury, if properly carried out. But I am afraid that, as it obtains at present, it is like a lot of other human institutions—very fine in conception, but very faulty in execution. There are different kinds of juries, and they are known variously as “grand,” “traverse,” “common,” “special,” and “coroner’s.” The “grand” and “special” are the pick of them, and must be men of certain financial standing ; “traverse” and “common” are for ordinary cases, and the jurymen who sit on “crowners’ quests” are usually of very poor material. In fact, the coroner himself seems to be an embodiment of the whole investigation, examining and cross-examining, and finally directing the jury what verdict to bring in.

Juries are appointed by the sheriff, and he proceeds in the following manner. Suppose he has to find a jury for a certain sessions, he will select a particular district and take so many names from a printed list, such as may be seen hanging on the door of a parish church. The list is arranged alphabetically, and he starts from the top. He then advises an official known as the “summoning officer,” who may have chambers somewhere in the vicinity of Chancery Lane, to issue summonses for so many jurors for the

(Traverse Jury.)

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To Margarette Adam

County of London.—By Virtue of a Warrant from the SHERIFF of the County of London to me directed, I summon you to be and appear before HIS MAJESTY'S Justices of the Peace AT THE SESSIONS HOUSE, Newington Causeway, in the said County, on Wednesday, the 1st of February 1906, at Half-past Ten of the Clock in the morning PRECISELY, to be of a Jury to try between our Sovereign Lord the KING and the several Defendants and Prisoners to be at the bar. Whereof fail not, as you will answer the contrary at your peril.

Dated the 3rd day of February 1906  
At the Coroners  
Jails Chambers Room P.  
89 Chancery Lane W.C



**Summoning Officer.**

NOTE.—That if any Juror shall not appear pursuant to his Summons, the Court will set a fine upon him, unless some reasonable excuse shall be proved by Oath or Affidavit, WHICH AFFIDAVIT MUST BE SWEORN IN COURT. No notice will be taken of Medical Certificates or other communications sent to the Summoning Officer

"A MATTER TO BE ATTENDED TO."







sessions referred to, which will begin on a certain date, giving the recipients several weeks' notice. Perhaps only a third, or even a fourth, of those so summoned will be called upon to serve, but all must attend, and remain in attendance during the sessions. These form the "reserve" jurors, and they are subject to the same penalties as those who are serving. There are various reasons for the presence of these surplus jurors. An acting juryman, for instance, might be taken suddenly ill, or furnish a good reason for being excused, and there must be somebody to fill his place. Further, jurymen may be objected to for various reasons—I knew a case where a juryman who had been serving for two days had to leave the box on the third, as he was employed by a railway company, and a charge of theft by a railway employee had to be tried—and substitutes must be found. So you see there are cogent reasons why there should be reserve jurymen in attendance.

Well, the summoning officer having been advised by the sheriff will proceed to send out his summonses—a facsimile of one such summons is given herewith—the terms of which leave no doubt in the recipient's mind that it is a matter to be attended to. It is delivered by registered post, and the recipient must sign for it. This establishes proof of "service." Formerly they were delivered by hand by police constables, but this was found to be very loose, and it was astonishing the number of people who were reported to be "ill," "out of the country," "gone away," or otherwise precluded from serving.

It is no secret that the authorities did not believe always in these reports, so a new system was adopted, by means of which it is difficult for anyone to evade service. Of course there are very few people who do not heartily detest the business, and when the postman delivers the summons, which is left quite open for inspection, he usually indulges in a broad grin.

When a district is exhausted—that is to say, when all inscribed upon the jury list have been called upon—another district is selected, and so on. Usually a period of three years elapses before a district is revisited, but a man changing his address may be called upon again much sooner, or, for the same reason, he may escape for a much longer period. He should be careful to keep his summons by him to produce as a proof of service in the event of his being called upon again too quickly. The foreman of the jury is selected in a friendly kind of way ; they arrange it among themselves with the assistance of the usher, who may first inquire whether any of them have served on a jury before ; if so, he is considered to be the fittest for the post.

There is no remuneration attached to the work, none whatever. Although the house rent a man is paying is taken into consideration in the task of selecting a jury, no sort of regard is paid to calling, and all kinds of trades and professions are represented thereon. In the case of a trial for murder the jurymen remain locked up between the hearings, and do not see their homes again until a verdict has been arrived at, or they are discharged in the event of their being unable to agree.

I now propose to briefly describe a little experience of my own while serving on a jury, which I have previously referred to. It was the opening of the Sessions, and we were a motley crowd. There were between forty and fifty of us, of all ages, of diversified bearing, and uncertain intellectual stamina. The dingy surroundings of the court were temporarily lifted from their customary slough by a welcome burst of brightness on the part of that singular elemental mosaic called "our climate." The sun shone, and by devious ways penetrated to the arena of speculative justice. We filtered, ambled in past sundry isolated police sentries, and came to a chaotic pause before a burly official who held us up, so to speak, with the gruff inquiry, "Any excuse?" Those who had, or said they had, were diverted to one part of the court, and those who had none, or cared not to venture one, were passed on to another part of the court.

To be plain, we were the jury summoned under a threat of "at your peril" to be present to try "between our Sovereign Lord the King and the several defendants and prisoners to be at the bar," for the various offences alleged against them. Eventually the "twelve," of which the writer was one, found themselves, by accident it seemed, in the jury-box, whither they had shuffled in the general confusion, and at the tail-end of a vociferated "Straight ahead!" from the burly official aforesaid. Than this there was no more definite arrangement concerning their destination, but being there they were kept religiously. The others ranged up behind and settled down in in-

certitude, discontent, and discomfort. This was natural, for they were all men of business, and this peremptory summons dealt hardly with them. But upon those now seated in the box the fate of many unfortunate creatures would depend. They were a decent lot of men, square-headed, commercial, although quite foreign to the business before them, and the position thrust upon them they felt weightily. Their daily avocations were various and comprehended commercial travellers, a butcher, hosier, provision merchant, and bank clerk. Some were quite youthful and effervescent, others old and staid. One or two suffered under the disability of defective eyesight, another was not too acute of hearing, and yet another, thin almost to the degree of invisibility, constantly interrupted the proceedings with a resurrection cough. The weather had as usual been very trying. But all more or less fraternised, exchanging sympathy and views. Some of the latter were funny, arguing a too profound possession of a sense of deduction, probably the result of a too faithful adherence to the doctrines of Sherlock Holmes.

Our foreman having been selected, and the trunk of the jury given a head, his lordship took his seat and proceeded to hear the applicants with excuses. Incidentally much humiliation was endured. In the end some were allowed to go, while others were very peremptorily told to remain. The penalty for not appearing is £10, with the possibility in the rear of imprisonment for contempt of court.

The majority served for three days, till the end

of the sessions, in fact. I will not dwell upon the human misery and degradation that passed in review before us during the period, suffice it to say that we were instrumental in consigning to prison and penal servitude about a score of accused persons. The task was sufficiently depressing and burdensome. At the end of the proceedings his lordship, in thanking us in the name of the county, said he regretted that the only return he could offer us for our services was the privilege of going over Wandsworth Prison, where, he added, we might see some of those persons whom we had convicted! I thought at first his lordship was joking, but was astonished to find that he was really in earnest. So I suppose the State considers it quite the proper thing to make this weird offer to twelve brain-weary men who, at great personal inconvenience and loss—at all events in the case of eleven of them—and in discharge of their duties as citizens, have undergone three days' misery and weariness. This sitting on juries is no child's play. I confess I left the court aching in every bone, and with my mind playing impishly about that magnanimous offer. During this narrative we shall visit many prisons, and the reader will be able thereby to estimate the nature of this offer.

The method of appointing juries is opposed to common-sense and fair-dealing. Even a trumpery coroner's jury are allowed their expenses, and in cases where merely property is in dispute a fee is paid to the jury. I know that this "call" dealt hardly with my fellow-jurymen. I have already pointed out the humiliation of the busi-

ness. I am aware that every man must expect to discharge the duties of a citizen for the general welfare of the community of which he is a component part ; but why not, in the name of all that is reasonable, appoint professional juries, picked men who are capable of dealing adequately with the technicalities of the law, which the average jury is not ?—men who are able to weigh facts, and who can give evidence its due weight and significance?

The ordinary jurymen is well enough in his intentions, but he is wanting in capacity. He would also, as I have described, be glad to be relieved of his awkward and arduous duties. We want jurymen who can weigh evidence impartially, who can invest legal points with their true value, whose minds are sufficiently stable, and whose knowledge of the world is sufficiently extensive, to render them impervious to the blandishments of counsel, or the possible temperamental bias of judges, impelling them to return "true verdicts according to the evidence," as the ancient legal dictum rightly directs. I suggest that there be a certain number of these professional picked men available to serve in each district, and liable to be called upon at any time. They should be paid a stated stipend and their appointments should be kept strictly confidential. They should be called upon without any previous notice, and the selections should be made in districts situated widely asunder. "But," I fancy I hear an objector exclaim, "these men might be 'got at,' and be induced to divert the course of justice." If carried out on the lines I have suggested I do

not see how they could. But at all events even the present system is not entirely free from such corruption, for jurymen are occasionally "got at." I have in my mind the case of a prisoner of a certain persuasion concerning whose guilt the jury were unable to agree. The latter was therefore discharged, and so was the prisoner eventually, for the charge was not proceeded with, the prosecution entering a *nos prosequi*. On that jury was a member of the same persuasion as the prisoner. Before the trial he was in an impечunious state, after the trial he blossomed forth as a prosperous tradesman. *Verb. sap.*

The late Montague Williams in his book, "Leaves of a Life," tells a most amusing story of how a jury was humbugged in order to get a prisoner off. When the jury were asked to consider their verdict the guilt of the prisoner seemed beyond all doubt, and it was expected that the verdict would be forthcoming almost immediately. But to the surprise of almost everybody present the jury expressed a desire to retire. They did so, and directly they had got into the retiring-room one of their number stated that his verdict was one of acquittal, and from that he would not budge. Folding up his overcoat he placed it on the ground in a corner of the room, and lay down upon it. Hour succeeded hour and he would not budge, nor would the others give way to him. The judge had retired from the bench and gone to his lodgings opposite, leaving word that he was to be called at once when the jury had arrived at their verdict. Time passed but no message came from the jury. The judge sent across to

make inquiries, and was told that the jury were still away. Then at last the judge returned to the bench and called for the jury, only to be told that they were quite unable to agree. Now his lordship was a determined man, so he signified his intention of keeping that jury locked up until they had arrived at a decision. He would have no nonsense in face of such evidence as they had heard.

The hours slipped by and it got well into the night. Eleven of the jury were hungry, tired and disgusted. The twelfth, still comfortably reposing on his overcoat in the corner, pulled out of his pocket an edifice of sandwiches and a flask of brandy with which he had thoughtfully provided himself, and proceeded to contemplatively munch the sandwiches and sip the brandy, the while he kept a twinkling eye lifting in the direction of the others. Occasionally he would doze, then refresh again, and so on. It was torture to the others. At last came a message from the jury-room that they had at length arrived at a verdict. The judge was summoned, and all the officials took their places as the dreary-eyed jurymen trooped back to their box. The usual formalities were gone through, and the fateful question put, when to everybody's consternation the verdict was one of acquittal!

How that particular jurymen managed to get into the box cannot be definitely stated, but he did get there. The next day he might have been seen emerging from a house close handy—the office of the prisoner's solicitor—with a radiant face, wearing a smug smile and a suit of gay holiday attire.

Many such stories as this might be told, but I think sufficient has been said to prove that juries as now constituted are anything but incorruptible.

That the ordeal of sitting in judgment on one's fellow-creatures is no light task I have seen ample proof. I have many times seen jurors taken ill in the box, the case before the court having to be stopped while the invalid has been conducted into the open air in order to revive. On one occasion, at the Old Bailey, a juror fell dead during a case. He was seen to rise to his feet, stagger, and fall headlong down the steps. He was carried into the well of the court, a doctor who happened to be present pronouncing life extinct. It formed a very gloomy incident. As the man had died in the presence of his fellow-jurymen no inquest was held.

The wrongdoer will regard these gentlemen with "mixed" feelings. Occasionally he may have reason to be grateful to them, at other times he will feel inclined to execrate them. But, speaking generally, he will not feel so strongly against them as against others who will play a part in his chastisement.

## CHAPTER VII

### THE POLICE COURT—A DAY ON THE BENCH

WE will now suppose, if you please, that our wrongdoer has committed a crime for which he is "wanted." It does not, however, necessarily follow that this is the first offence he has committed. He may, on the contrary, have committed many crimes before this, and have enjoyed an immunity from detection. But now he is really known as the perpetrator of a specific offence, and is being sought by the police.

He will keep "dark" as long as he can, but at length one day he feels the fateful tap on the shoulder, and knows that he is "nabbed." He will be told the nature of the charge upon which he is arrested, and cautioned that anything he may say will be used in evidence against him. If he is wise he will keep silent. He is thereupon conveyed to the nearest police station, where he is received by the officer in charge. The latter enters all particulars concerning him on the charge sheet, and he will be searched and everything taken from him. He will be given an opportunity to communicate with his friends, supposing he has any and is desirous of doing so, which may not necessarily follow. He will then be consigned to a cell.

He will be brought before a magistrate at the earliest opportunity. If it is only a minor offence

he has committed he will probably be dealt with by the magistrate, but if a serious offence he will be remanded in custody, may make several appearances before the magistrate, and then be sent to a higher court, there to be dealt with by a judge. He will prefer to be dealt with summarily by the magistrate, for if he is "fullied"—that is to say, fully committed to take his trial at the Sessions or the Old Bailey—he will probably get, instead of so many weeks or months of "stir"—imprisonment—so many "stretch"—years of penal servitude.

He has, of course, no intention of "turning over a new leaf," or playing "poor honesty." That he will never do. But freedom is an important counter in the game he plays. Between him and organised society it is a fight to a finish, with "no surrender" as the battle-cry. Having committed a crime, baffled the police, and retained his freedom, that is an "engagement" to him. If, on the other hand, he gets arrested and convicted, that is one to the "enemy," and he remains a "prisoner of war" just as short a time as he can. To be sure he has never had much of a chance of doing much else, and has realised from the first that this fight was inevitable. It is not the most enjoyable life imaginable, although a certain sort of grim pleasure is derived by him from the excitement of it, but, as your military fighter will tell you, even given the glory, it is not all "beer and skittles." The contest might also be compared to a couple of men playing a game of draughts. One player (the criminal) to his opponent (organised society): "If you

don't take me I shall 'huff' you!" And he does.

The proof of this phase of the contest is also exemplified in the spirit of *camaraderie*, which sometimes exists between detectives and "habituals." Some detectives are very good fellows, and entertain a lively sense of the unsportsmanlike attitude of society towards their "clients." They invariably know where to find the latter, and when they "want" one of them something of this sort may happen. The detective waits on his man, and the latter catching sight of him exclaims, "Hullo, Mr Bucket, what now?—I'm 'straight.'" "No doubt," replies the officer, "but all the same I want you for that jewel affair on Monday at Stoat's Cross." "Me at Stoat's Cross on Monday!" exclaims the apparently astonished man, "why, blimy, I was miles away!" "Ah," quietly comments Bucket with a smile, "of course you can prove it?" "'Cos I blankety well can!" blurts out the man with an oath and an expectoration of disgust. "Oh, well," says the officer reflectively, "perhaps there may be nothing in it after all. But you will have to come along—I've got my orders, you know." And he goes along. Perhaps he can prove his innocence, perhaps not. Let us hope he can. We must leave it at that.

By the courtesy of Mr D'Eyncourt, sitting at Clerkenwell, I was enabled one day to view the day's proceedings from the point of vantage of the bench, upon which I was accommodated with a seat. It was arranged that I should attend just before the court opened, which I accordingly

"A DAY ON THE BENCH."  
Mr. E. C. T. d'Eyncourt.



"A JUDGE MUCH IN THE PUBLIC EYE."  
Sir Ralph D. M. Little, Kt.  
Chairman of Middlesex Quarter Sessions. From a photograph of a  
painting by Miss Beatrice Offor, exhibited in the Royal Academy,  
1904.





did, and was ushered into the magistrate's private room. Here we kept up a desultory conversation until a knuckle-knock on the door announced that all was ready for his worship to proceed. We emerged from the room into a corridor, the usher who had summoned us leading the way, I following in the wake of the magistrate. The usher threw open a door on the left, there was an intimation given for everybody to be up-standing in court, and in a few strides we were upon the bench. Mr D'Eyncourt sat at a small desk on which was an open book, something like a small ledger, and I took my seat a few feet away and beside him. All our police courts are modelled on much the same lines with, to me, a rigorous regard to economy of space. The courts always seem to be uncomfortably "cramped." I remember while Raynor was still appearing before the magistrate at Marylebone, I had gone to the court in order to see Mr Taylor, with whom I had an appointment, and was ushered into the court by a side door to await the advent of the luncheon interval, which was imminent. There were a good many people present, and I had not given a thought to the particular case which was before the court. Two or three steps had sufficed to take me almost into the middle of the court, and up against the dock. A witness was giving evidence, and presently I heard the name of "Whiteley" mentioned, and casting a hasty glance to the right I realised that I was standing almost shoulder to shoulder with Raynor. The incident served to illustrate forcibly the "cramped" condition of our police-courts, to which I have referred.

But to return to Clerkenwell. Immediately in front was the usual "dock" consisting of a couple of parallel iron fences, with just enough room between them for a prisoner to sit down, and a police officer to stand on either side of him. Then the solicitors' benches in front, witness-boxes each side, and the public portion at the back. There are also jury and press boxes. With little variation all the courts are constructed on the same lines. In the book before the magistrate are entered all particulars of the cases heard, and the sentences imposed, each one of which is signed at the side by the magistrate. By slightly craning my head I was enabled to observe some such hieroglyphics as these appear upon the page, "3 m. h. l." which signified "three months imprisonment with hard labour," before the sentence was pronounced, the magistrate having already made up his mind on the point. I therefore knew what the prisoner's punishment would be before he knew it himself.

During a day at a police court, life is presented in many of its doleful as well as droll ways. A mere recital of all the cases that passed in review before me would be liable to pall and grow monotonous, but the particulars of a few of the more striking cases may be interesting. Several persons were charged with keeping disorderly houses, and the case was fought with some vigour. There were three prisoners, two men and a woman. The latter had got herself up specially for the occasion — this was obvious — and appeared in very poor and seedy garments, for the purpose of creating the impression that she could not

have been carrying on what is known to be a lucrative occupation. The magistrate eyed her with an interested contemplation ; then he shifted his glance to the male prisoners, who were garbed like superior kind of mechanics ; from top to toe he scrutinised them, and seemed to be quite satisfied concerning them. Leaning towards me he whispered, " Very troublesome cases these—so difficult to prove." The evidence of the police witnesses went to prove that the prisoners had been keeping several of these houses in different neighbourhoods, that they had been engaged in the illicit traffic for some considerable time, but that they had been so cunning over it that the police had experienced considerable difficulty in obtaining evidence sufficient to arrest them. They had kept the houses in question under close surveillance, had " shadowed " the prisoners from one to the other, and had observed the constant coming and going of women with men. This evidence the prisoners endeavoured to destroy by putting witnesses in the box to prove an alibi, but the perjury was so obvious that the evidence fell to pieces almost immediately it had been given. One of the men, speaking in his own defence, stated that he got his living by hard manual work, but a constable declared that he never did a day's work from year's end to year's end. Then the magistrate took a very keen and subtle course. Said he to the prisoner, " Hold up your hands ! " The prisoner reluctantly did so. They were as white as milk ! Conviction and sentence followed soon after.

Then a short, pale-faced, forlorn-looking man

took his stand in the dock. His throat was heavily swathed in bandages, and he was charged with attempting to commit suicide by cutting his throat with a razor. He had just come out of hospital, looking somewhat perplexed, and gazed vacantly at the bench. The evidence failed to furnish any adequate reason why he should have committed the deed. In a little brown bag was the weapon, and other *pièces de conviction*. The razor was at hand, and he just took it up and drew it across his throat. One of those mysterious impulses which nobody seems to be able to account for. It seems that the mere presence of a weapon and an opportunity is sufficient for some curiously constituted people to commit an act of violence, either on themselves or on other people. I heard of a man who committed murder under the most remarkable circumstances. His victim was stooping down, with his head in a most advantageous position for violent usage. The "temptation" was too much for the neurotic man, so he up with a weapon and "went for" the head. There was no bad feeling between them. A man once told me that whenever he held his watch in a certain position in his hand he experienced an irresistible desire to throw it at a brick wall, just because it felt such a convenient missile. I promptly offered him my watch, as it deserved no better fate.

It is the same with certain forms of suicide. Motiveless suicide is akin to motiveless murder. The would-be suicide before Mr D'Eyncourt could not furnish, nor attempted to furnish, any reason for committing the deed with which he was

charged. His case was "put back" for further consideration.

Then came a sporting-looking man with "book-maker" written all over him. His case was short, business like, and to the point. He had been seen "taking slips," which had also been found upon him. He cordially and cheerfully pleaded guilty, and in a very short time five pounds had changed hands. This, I should explain, was before the passing of the Street Betting Act, which has put an end to most of these cases. It had become quite a customary thing to pay over the five pounds which was then the maximum penalty. In fact so perfunctory had the process become that one "booky," who should have appeared before Mr Baggallay, simply sent a five-pound note by post to the magistrate, asking that his non-attendance might be excused, but that there being a big race on that day he did not wish to miss it. He was accordingly "credited" with the five pounds, and the case thus disposed of.

The next to appear was a small boy, who, in school parlance, persisted in "hopping the wag." He was one of those handfuls of rebellious juvenility which give so much trouble to their parents, who are quite helpless in the hands of their small offspring. Either a reformatory or some "birch" is the usual remedy in such cases.

And so the business of the day goes on, one down the other come on, until the rising of the court, and we leave the bench, I feeling rather depressed and weary. Close association with crime and criminals has a very debilitating effect upon one; the sordidness, helplessness, hope-

lessness displayed vividly and actually before your receptive eye sit heavily upon and depress your mind. Here in a cosmic condition you see the various phases of the embittering struggle for existence—it is like the repellent phantasmagoria of a disturbing dream. The crime, the misery, the penalty. The futility of it all enchains the mind with a weird fascination. The crime, the misery, the penalty—always thus, the ceaseless, never-ending, irrevocable destiny. They pass in and through and out, from the court to the prison, from the prison to the crime, from the crime to the court, and again to the prison, in an ever-moving circuit of infamy and misery. So might the damned endure in the infernal regions.

Our magistrates work very hard, and do a vast amount of good. In the way of giving advice they are a kind of "father confessor" to the poor of the district. In hearing what are called "applications," which come on before the real business of the court commences, they exhibit a tremendous amount of patience and administer a good deal of sound advice. The man who wants to know "what I'm to do with my wife," and the distressful dame who inquires "what am I to do with my old man?" generally get well and usefully answered by his worship. Perhaps a young married couple cannot "hit it," and they appeal to the magistrate. By skilful questioning he will get at the germ of their mutual grievance. Perhaps there is some disagreement about breakfast. They may have arranged that one shall cook the bacon if the other makes the tea, but it won't work. So the magistrate may succeed

in adjusting their differences by reversing the order of things, and arrange for them that the one who objects to cooking the bacon shall make the tea, and the one who will not produce the cup that "cheers" shall attend to the incineration of the porcine relish. And so on. The word of "his washup" is one to conjure with.

The poor of the East End have good reasons for holding the name of Montague Williams in kindly and grateful remembrance. He always referred to them as "my poor." His "blanket fund" still survives.

## CHAPTER VIII

### BRIXTON PRISON—"THE HOUSE OF SUSPENSE"— AND AFTER

THIS is a remand prison, and stands in a very picturesque spot at the end of a narrow turning on the west side of Brixton Hill. This turning is really an avenue of poplar and lime trees, and just outside and facing the main entrance of the prison is evidence of an attempt at gardening in the form of a flower-bed, gay with vari-coloured blossoms. It is well worth spending a little time in contemplation and observation on the freedom side of the main portals, particularly if it is, as it was on the occasion of my visit, a fine summer's morning. It is very quiet, and an air of profound peace reigns about the place, contrasting strikingly with the reflection of how many miscreants have from time to time passed in and out of the prison, including Edwards and Chapman of execrable memory.

This being a remand prison, the friends of prisoners may have daily access to them between the hours of 10 and 11.30 and 2 and 3.30. Solicitors, however, may be seen at any reasonable hour. All sorts and conditions of people are, consequently, continually passing down the lime-and-poplar avenue. A strange and motley procession, some seemingly indifferent, others pale with anxiety and grief. Poor, down-at-heel men

and women ; tall stately, well-groomed city men ; youths of doubtful origin and questionable lives, who approach the portals ill at ease and with halting gait and furtive glance ; some women, wearing the faded remnants of a once garish and opulent wardrobe, have a small child or two at their skirts, others even carrying infants in arms ; some carrying little baskets or parcels containing necessaries or mild luxuries for their luckless friends within, others coming empty-handed, with nothing to offer but their commiseration and sympathy. And so the procession moves in and out at intervals, and many a man or woman comes out with moist eye and quivering lip.

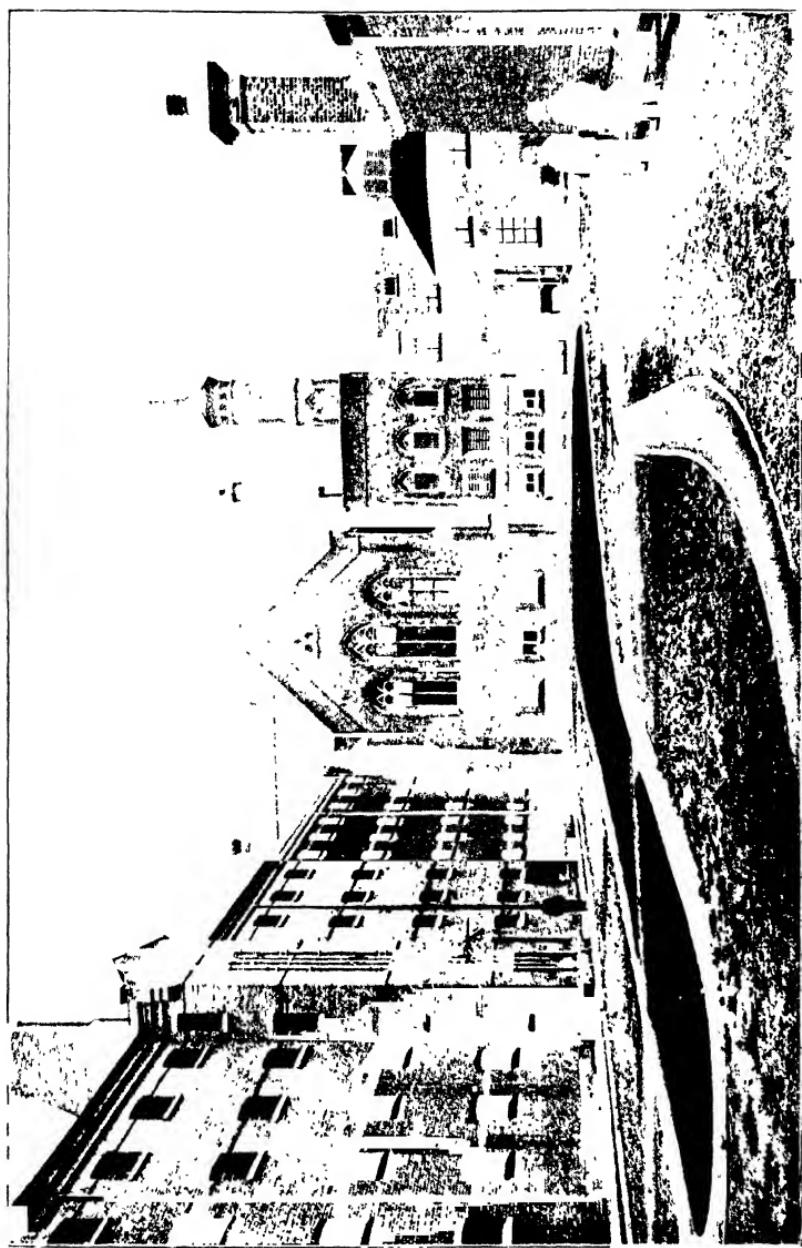
On the right-hand side of the gates is a large notice-board, setting forth the various pains and penalties which may be visited upon any person found aiding and abetting in the escape of a prisoner ; and beside it is suspended the usual bell-pull. Beneath the notice-board a man is seated on a bundle of newspapers and periodicals, in one of which he is absorbed. At frequent intervals between the hours mentioned there is a constant flow and ebb of people through the lime-and-poplar avenue. And now we ourselves will pass through the wicket—I in the flesh, you in imagination.

I have called Brixton Prison the “House of Suspense,” inasmuch as the inmates, or at all events most of them, being unconvicted know not what their fate may be. This applies particularly to cases of serious crime. Soon after I entered the prison I encountered an old acquaintance in Chief Warden Scott, formerly of Newgate,

and a once familiar figure in the dock of the Old Bailey, who had the distinguished honour on one to me memorable occasion of shutting me in the "black hole" in the basement of that grim establishment Newgate, prior to its demolition. Another familiar face was that of Dr Scott, who has figured in so many criminal trials as an expert on lunacy, and an "observer" of prisoners concerning whose mental balance there may be some question.

Remanded prisoners, on alighting at Brixton from the "Black Maria," or prison van, go straight to the "waiting cells," where they remain, awaiting their turn to go to the reception-room. The latter they enter in a nude state, are weighed, measured, and registered in every detail and peculiarity. They then take a bath, if they need it, and a great many do. The baths I saw were enamelled and scrupulously clean, being well rubbed round after each use, each prisoner, I was told, having fresh water.

After the bath the prisoner is given a trouser suit of blue serge, a sort of forage cap, and a badge. On the latter appear the letter of the corridor of the prison in which he is destined to be located, the number of the landing and of the cell. His name is registered in a book, with these particulars against it. Thus: "John Smith, C 3-35." This badge he wears on his breast when out of his cell, but it hangs on the outside of his cell door when the prisoner is in occupation. When he leaves it is given up, and is ready for somebody else. Thus when a visitor calls to see John Smith he is at once located as





"C 3-35." Interviews take place in a corridor fitted with screens. On the outside of the cell door is also fixed a card giving register number, date, and place of committal, etc.

Brixton was formerly a military prison, and with its present additional wings has been in full working order about five or six years. At the time of my visit it had accommodation for five hundred inmates—the accommodation may have been increased since then—and they frequently have their full complement of "guests." A remand prisoner may work or not, as he chooses. He frequently does choose to, for confinement without occupation drags very heavily. The work is only that of the prison. If a prisoner can afford to have his meals brought in he may do so. If not he must be content with prison fare. The day of activity extends from 6 till 6—dinner 12.15 till 1.25. All lights are out by eight. There is a fine Protestant, and also a Roman Catholic chapel. A short service is held every Tuesday and Thursday, and twice on Sundays. Hebrews are attended by a representative of the Rabbi. There are between sixty and seventy officers, with, of course, a night shift, all living out of the prison. A few emergency men sleep all night in the building. During meal-times and at night warders pace noiselessly up and down the corridors in felt slippers, called "sneaks." The exercise yard is a fine open space, with two oblong, serpentine, tan-paved paths running all round it, one within the other, and being intersected with turf.

A great deal has been said about the injustice

of treating unconvicted prisoners as though they were convicted criminals, and it does seem strangely out of keeping with our oft-repeated boast that a suspected man is regarded as innocent until his guilt is proved. I am afraid it is like a lot more of our insular boasts, definite in theory but quite vague in practice. The plain truth of the matter is, that directly a man falls into the hands of the police he is practically regarded as guilty until his innocence is proved. It matters not how innocent a man may be, be he "chaste as ice, as pure as snow," when once he is in custody he is the object of the gravest suspicion. And if he cannot obtain or afford bail, he is kept in durance, being treated little better than a convicted criminal.

There certainly seems to be something "rotten in the state of Denmark" about all this. Surely a man can be better treated until he is convicted? To subject unconvicted and possibly innocent men to the indignities which are practised at Brixton Prison is to do far more than strain the letter of the law. No doubt time and experience will bring about many much-needed reforms in our prison and police administration, among them the treatment meted out to the unconvicted prisoner. Albeit we advance in such matters very slowly.

It is in this place, then, that our wrongdoer will probably find himself after having been remanded by the magistrate, and after having been half-stifled in a cell of the "Black Maria," which has brought him thither. The arrangement of the cells of these lugubrious vehicles is not far short of an absolute cruelty. They are

so small that it is scarcely possible to turn round in them, and impossible to sit down. When the vehicle is travelling over rough ground the jolting is quite painful, but it is the horribly close confinement which is so brutal. I once remember a grey-haired old man, who had just been sentenced to ten years' penal servitude, beg from the dock to be allowed to occupy the cell nearest the door when being taken away in the police van, as he suffered from asthma, and the confinement might, he feared, have serious consequences. It was a painful sight to see this man, bordering on seventy, and even then breathing with difficulty, with ten years of misery before him, and the probable prospect of never again obtaining his liberty, appealing to be allowed the privilege of breathing comparatively freely while on his way to durance !

Supposing the wrongdoer has friends who are willing to help him, then the first thing they will do will be to try and obtain for him a "mouth-piece," as the criminal classes call an advocate. It is often a matter for wonder how some forlorn-looking prisoners are able to obtain the assistance of the counsel they frequently do. But their friends will sometimes go to almost any lengths in order to obtain the necessary funds for defence ; barristers are also very obliging upon occasion, and will accept a small fee from a prisoner whom they believe to be impecunious. They have even been known to defend such a prisoner for nothing, especially if it happens to be a good "fighting case," and a victory or a good tussle on their part is calculated to bring them some prestige. I, of

course, refer to the smaller advocates, for those in a prominent position in their profession cannot be expected to adopt the rôle of philanthropist, they having so many paying clients to whom they owe a duty. There is also the Poor Prisoners' Defence Fund, by means of which the judge can grant legal aid to a prisoner whom he is satisfied is not in a position to employ counsel himself. The prisoner must make application, verbal application for this assistance—he usually does so from the dock—and it rests with the judge to say yea or nay to it. As may be supposed a good many applications are made by prisoners who can well afford to pay for their own counsel, but who endeavour thus to obtain such assistance "on the cheap." But the judges are pretty keen with such applications and will not grant such aid unless they are perfectly satisfied that the prisoner is really destitute. It is, of course, only right and proper that every prisoner, whatever or whoever he may be, should have ample opportunity of presenting his defence before the court, and it is the object of the fund in question to enable the very poorest so to do.

Some criminals entertain queer notions as to what a defending advocate's duties are. They not infrequently imagine that, having been paid a fee, he falls short of his duty unless he, in return, succeeds in procuring an acquittal for the prisoner. The money, they seem to suppose, is the price they pay for their liberty, and in the event of conviction they go to jail entertaining a lively impression of how they have been "done" by their "mouthpiece." It is a curious point of view.

During his detention at Brixton the accused man will then be enabled, as I have already indicated, to have frequent access to his solicitor, who will obtain from him all the particulars he can, and further will watch his interests in open court while he is before the magistrate. Suppose he is committed for trial, then a brief for the defence will be prepared and an advocate instructed, and he will in all probability be tried either at the sessions or the Old Bailey at the next ensuing tribunal. My remarks, of course, refer to London, but if outside the radius or in the provinces the case would be tried at one of the assizes, the nearest town to that locality wherein the crime was committed. It is a matter of jurisdiction.

These tribunals are held every month, and for each a calendar is prepared containing a list of the prisoners down for trial, the crimes with which they are charged, and where and when they were committed. This calendar, or a copy of it, is always to be found on the solicitors' table in court upon the opening of the sessions. Also there is a blue printed form containing a list of the cases it is expected will be heard on that particular day, with the names of counsel for prosecution and defence. A similar written list is also affixed to a board in the vestibule without, so that it may be seen at a glance what cases are down for hearing that day. It does not necessarily follow, however, that because a case is down to be heard, that it will be heard either that day or during that sessions. Application may for some reason or other be made to postpone it until the

next sessions—it may be that some evidence is yet wanted in order to complete the case—and if the judge considers the reasons given are good the application will be granted. Opposition may be offered by the other side, but the judge's decision overrules that, and the prisoner goes back to the "house of suspense" for another month, or goes free for that period should he be out on bail.

It also sometimes happens that a case may be pushed out of a day's list on account of the undue prolongation of one or more of the other cases, and will go into the next day's list. Or, for similar reasons, it may not be heard for several days. It is impossible to say exactly how long a case will last beforehand. I remember a case recently which was expected to be finished well inside of a day; it took four. Some unexpected development may occur at the last moment which upsets all preconceived notions of the character of the case. Counsel may have something "up his sleeve" which he reveals for the first time just as the case starts. He has so far kept it "dark" from motives of prudence, and now "springs" it on his adversary. Of course the judge has something to say about it, as also has his opponent, and the evidence may or may not be allowed. But all this eats up time.

We will suppose, if you please, that it is the morning of the first day of the Sessions, and that our wrongdoer has been brought from Brixton in company with the "dark lady" and deposited at the Old Bailey, there to await his turn. He

is soon to know his fate. The sessions has been opened in the customary manner with the procession of gorgeously attired officials, including the Lord Mayor, sheriffs, sword-bearer, mace-bearer, and City Marshal. The Grand Jury have brought in their "true bills," and the work of the sessions begins in earnest.

We make our way up the beautiful marble and spacious staircase to the hall above, which is lofty, and with its pendent beaten-brass spheres has an Eastern appearance. The walls and floors are of marble of all shades and colours ; there are stained-glass windows, elaborate frescoes, beautiful azure mosaic arches, studded with glistening stars like precious gems in handsome settings. Beneath illustrative frescoes are the following inscriptions :—"Right lives by law, and law subsists by power," "Poise the cause in Justice' equal scales," and "Moses gave unto the people the laws of God." The beauty of the place, however, has a jarring effect on the mind when brought into contact with the reflection of how much blood and tears are shed within the rays of its roseate hues.

Let us step into No. 1 Court. Compared with the garishness without it is painfully "parochial" in appearance, being of plain oak and whitewash. All is bustle, and a droning hum of many voices in the main hall without sounds like the distant murmur of an approaching tempest. Advocates and solicitors are in their places, the jury are in their box—the "twelve good men and true"—who have already been individually sworn by the grey-headed usher to "true verdicts give

between our Sovereign Lord, the King, and the prisoner at the bar," who has also been informed by the clerk of the court that, during the naming and swearing of the jury, he may object to any of them, and that his objection must be made as their names are being called out. A cry or demand for silence, and a peremptorily ejaculated command to all and sundry to be "upstanding in court" from an usher, the rustle and commotion of simultaneously rising bodies, and his lordship in scarlet robes and ermine, bowing to anybody and everybody, moves on to the bench and takes his seat. We bow in return to his lordship's graceful matutinal salutation, and the rustle and commotion rises again as the assembly simultaneously resume their seats. The usher launches forth into some ancient legal jingle concerning the "King's majesty, the King's subjects," with attendant references to "misdemeanours and felonies," and winding up with "God save the King!" which he usually repeats very rapidly as though he was not sorry that it was over and that he could sit down. He must have made this little speech many thousands of times. The clerk receives the plea of "Not Guilty" from the prisoner and informs the jury, who have already heard it, that he has so pleaded, and that it is their duty to say whether he is guilty or not. Then up jumps the counsel for the prosecution with, "May it please your lordship—gentlemen of the jury," and launches forth into the story of the crime. Possibly the prisoner is looking very ill, and his lordship, being a kindly man as well as a judge, seeing this, says, "Let the

prisoner sit down." The jailer touches him on the shoulder, points to a chair, and he sits. On the solicitors' table will repose the *pièces de conviction*, including, perhaps, a lethal weapon or two, some documents, photographs, and possibly a model of a room. The police are very diligent in making miniature replicas of death chambers, faithful in every detail, even to utilising red ink to represent bloodstains. At the table will be an officer from the "Yard," who has the custody of the case, whose subordinates are somewhere about the court within hailing distance, and upon these articles he keeps an incubating eye. And so the morning starts big with the fate of the prisoner at the bar.

Counsel for the prosecution having concluded his opening speech proceeds to call his witnesses, each one of whom he examines, this being termed "examination in chief." Then counsel for the defence takes the witness in hand and cross-examines him, and so on until all the witnesses for the prosecution have been disposed of. Counsel for the prosecution may, by a process of "re-examination," discount the favourable effect of some admissions or statements elicited by counsel for the defence.

Then counsel for the defence proceeds with his case, or his answer to it, and if he call no witnesses he will be entitled to have the last word, if not, not, and his opponent will have the right of the last word. If, however, he calls witnesses, the prosecution have, of course, the right to cross-examine them. When all the available evidence has thus been heard, counsel will proceed

to make their closing speeches, and the judge follows with his summing-up. Having leaned to either one side or the other, according to what he individually thinks of the case, he will direct the jury to consider their verdict in a tone which seems to say, "Well, there's the case—what do you think of it? It isn't much to do with me. It's your business, not mine."

The jury may or may not retire; if they do then the prisoner will be removed from the dock during their deliberations, and another case gone on with. If, however, they do not leave the box, but gather in a bunch and chat it over where they are, the court remains in a condition of *status quo ante* until they have arrived at a decision. This is a very trying time for the prisoner, nor is it a comfortable time for anybody present or concerned. At last the jury have come to a decision, and have settled down in their places again. The foreman rises to his feet, as does also the clerk of the court, and the following dialogue ensues:—

*Clerk.*—"Gentlemen of the jury, have you agreed upon your verdict?"

*Foreman.*—"We have."

*Clerk.*—"And do you find the prisoner, John Smith, guilty or not guilty?"

*Foreman.*—"Guilty!"

*Clerk.*—"And that is the verdict of you all?"

*Foreman.*—"It is." (*Or perhaps he just nods and sits down.*)

*Clerk (turning to prisoner).*—"John Smith, you stand convicted of such-and-such a crime. Have you anything to say why the sentence of the

court should not be passed upon you according to law ?

Of course John Smith has a good deal to say, but he's very seldom able to say it. He may be either too overcome, or does not quite understand the nature of the question put to him, it being so stiff and formal, so he stands dumb and trembling and downcast. Sometimes the question is repeated without eliciting any response, and the prisoner's silence is regarded as a negative. It does, however, occasionally happen that the prisoner, a hardened offender entertaining nothing but vindictive feelings towards his accusers, will sweep the court with his invective, and have to be held in subjection.

In the case of a conviction for murder, the question having been put and answered, or not, as the case may be, then the voice of the usher rises sharp and sudden with "Oyez ! Oyez ! Oyez !" and in another of those quaint, old-time recitatives which are heard so frequently in our criminal courts, calling upon all and sundry to pay particular attention while the death sentence is being delivered. But if it is any crime short of that of homicide, then the judge will proceed to inquire whether anything is known about the man, and a police officer will step into the witness-box, and, having been sworn, will tell what he knows about the prisoner. It may be that the latter has not been convicted before, but in spite of this he will get a bad "brief" (character) for the officer has had him "under observation" for some time past, and knows that he is an associate of thieves, ex-convicts, and other undesirable

acquaintances. This will make a difference to the sentence, and his lordship says, "Now you know, John Smith, this is a very serious matter, and I am afraid I cannot deal leniently with you. You have for some time——" And so on, winding up by inflicting a more or less severe sentence. Smith turns on his heel and disappears below, and the authorities of the court are no more concerned about him than the barber who, having disposed of one customer, calls another with his formula, "Next, please!"

But not so us. We have an interest in his future, so we shall follow the wrongdoer into his unwelcome retreat. It does not matter whether he has had a sentence of ordinary imprisonment inflicted upon him, or one of penal servitude, he will first have to go to what is known as a "local" prison. We will suppose, then, that he is drafted to Wormwood Scrubs. Thither, if you please, we will follow him, although, thank heaven, in a different conveyance from that in which he will take his departure from the Old Bailey.

## CHAPTER IX

### WORMWOOD SCRUBS—A “MODEL” PRISON

THAT prison which is known among the criminal fraternity sometimes as the “Scrubs,” and sometimes significantly as “Wormwood,” is one of the largest prisons in the whole system, not excepting the penal prisons. The latter appellation, however, is somewhat misleading, if not altogether anomalous, inasmuch as it is one of the pleasantest, or perhaps it would be more correct to say, one of the least unpleasant, of all the prisons. It is, in fact, one of those prisons in which the “habitual” thinks himself lucky to be located.

My visit was paid prior to the recent disturbances there, which would lead one to suppose that the staffing of the place must have undergone some radical alterations.

It is one of the peculiarities of our prison system that, although nominally they are all supposed to be conducted on the same lines, they differ a good deal in their general aspect, which is the result of the various governors interpreting the standing orders according to their own particular prejudices.

Wormwood Scrubs was built as what one might term a substitute for, and at the same time an improvement on, old Millbank Prison, when it was decided to demolish the latter. I was once over Millbank, and I shall never forget the gloomy

old fortress. My visit was on official business, concerning a prisoner who had been brought from Portsmouth, and was for the time being lodged therein. It was a gloomy, misty November evening, and the sight of the huge, dominating portals of that house of bondage, looking out upon the dark and sluggish river, made a great impression upon me.

Having passed the first portals of Wormwood Scrubs, which are not so forbidding as many of them are, you find it difficult to realise that you are within the confines of a prison. On all hands are flower-beds, brilliant with multi-coloured blossoms ; on your right is a beautiful marble colonnade, round the pillars of which gay creepers intertwine ; on your left are arbours of luscious greenery ; facing you is an imposing cathedral-like structure, stately in white stone, with rounded apse, high-pitched roof, and flanked by pillared colonnades. All is bright with the joyous garb of affluent life, and bathed in the warmth of golden sunlight. This a prison, where human viciousness and frailty is held to work out its expiation, where dwell human misery and anguish ? It seems impossible ! Yet this was the scene that presented itself to me upon my passing the outer portals of Wormwood Scrubs Prison.

There existed one feature alone which detracted from the almost idyllic aspect of the place, and that was the presence of drab-clothed figures of men, who moved dumbly about the restful pleasure, working in the capacity of gardeners. This struck the one discordant note ; this told the man of the world and the outer life that this was,

indeed, a house of bondage, for these were prisoners in prison garb. But these prisoners, burdened with sins of various kinds, although they moved hither and thither with downcast eye, and furtive step, and silent lip, were apparently appreciating, and perchance being mentally uplifted by, the nature of their surroundings.

And that is where Wormwood Scrubs, in common with a few other prisons, is doing such good among a certain class of prisoners. They make for the humanising, not the brutalising, of the fallen. We know, we all agree, that the habitual criminal is beyond cure, but the habitual was once a "first offender," and it is the latter who may be saved from becoming the former.

As is generally known, the "star" class was instituted to prevent first offenders associating with and getting into the hands of old offenders and incorrigibles, and thus giving them a better chance of reforming. The "habitual" delights to get hold of a "green 'un," because he can generally "work him" easily for his own ends. In this connection I remember a curious thing once happening with a discharged prisoner of this class.

The prisoner in question was to be received on a certain day at the office of the St Giles' Mission, off Holborn, there to meet his friends and receive assistance. Shortly before the hour of his arrival a man presented himself at the office, and explained that he had come to see the prisoner in question, who was his brother. Now, the authorities did not, of course, know the man's relations personally, although they did know that a brother was to call for him. They, however, had their

suspicions concerning the genuineness of the caller in question, so asked him to step into a room, in which they shut him by himself. Soon after, curiously enough, another man presented himself, who also asserted that he was a brother of the discharged prisoner soon to arrive ! This man they also showed into a room, in which he was shut by himself.

Here was a curious situation. Both or neither might be related, or one only. The only man who could solve the problem was the prisoner himself, and this he very effectually did upon arrival. One of the men was a genuine brother, but the other was an old "lag," who, while in prison, had made the acquaintance of the other, and learned the day he was to be released. He himself had been released prior to this, and, wanting a new hand for a "job" under contemplation, had practised his deception with a view to "getting at" a likely customer.

So, having taken in the situation, the authorities at the mission office promptly fastened the "lag" in the room where he was, and there detained him, while the ex-prisoner and his genuine brother took their leave and got well away. They then released their prisoner, and read him a severe lesson, promising that the next time he favoured them with a call under similar conditions, he would not be allowed to go so easily. He was then told to clear out, which he apparently had no objection to doing, for he took his leave with alacrity.

The "Scrubs" has accommodation for between 1400 and 1500 prisoners, and upon the occasion

of my visit over 1300 were in occupation. There were also between 120 and 130 officers, between twenty and thirty of whom were bachelors who resided within the precincts of the prison. Most of the others occupied quarters specially built for them near the prison.

The daily routine here is for the most part much the same as that which obtains at other prisons of its class. The minimum period of labour is six hours, and the maximum ten. The hour for rising is 5.45, and the day of labour closes at 5, when the prisoners return to their cells. Sometimes, however, a prisoner may have extra cell labour to perform, which he does under lock and key. All convicts who are received here remain a month, and are then sent to either Lewes, Exeter or Chelmsford, to endure what is called their "separates." This lasts for a period of six months, after which they are sent direct to a penal prison.

One of the first things to attract the visitor's attention, after passing through the gateway, is the Protestant chapel, which I have already referred to. The Roman Catholic chapel was recently destroyed by fire. Round the altar of the former, in large white letters on a dark background, appear the inscriptions, "Alleluia," and "O Death, Where is Thy Sting, O Grave, Where is Thy Victory?" Prayers are held every morning from 8.55 till 9.25, and two full services on Sunday, morning and afternoon. The officers and their families are accommodated in the gallery by the organ, a warder presiding at the latter instrument. Sometimes, when this officer happens

to be absent, a prisoner will officiate as organist. The choir consists of about a score of prisoners, who are selected by the chaplain. In fact, to the latter official is due the credit for the discovery of any musical ability in any of the prisoners whose spiritual welfare he has in his care. During service officers are seated at intervals along the rows of forms, facing the prisoners, their backs to the altar.

The treatment of a prisoner upon reception is much the same as I have already described in connection with Brixton. There are no classes of misdemeanants nowadays, they having been superseded by "divisions" by a recent parliamentary enactment. Thus there are 1st, 2nd, and 3rd Division prisoners, and the hard labour section. The dress of the 1st is grey, of the 2nd brown, of the 3rd and the hard labour class, drab. From the last-named class the "star" prisoners are selected, and kept quite apart from the others. They are distinguished by a red star on the front of their forage caps, and on the card which appears on the outside of their cells. They also wear a fatigue suit of white material, with a thin red stripe.

The officer who acted as my guide showed me a padded cell, which called up many unpleasant reflections. It was explained that its occupants were usually men who had lived very intemperate lives in the outside world, and being suddenly and completely deprived of the drink, delirium tremens would supervene. In the above cell, which has a padding of cocoanut fibre to a considerable depth, they can throw themselves about



"THE PRISONERS . . . RAM THE CORK INTO THE BAGS"



as much as they choose without fear of inflicting any injury upon themselves.

Several cards were to be seen fastened on to a piece of board hung on the outside wall of the cell, near the door. One gave the register number of the occupant, sentence, labour for which fit, trade, restrictions, age, and location. There was also a "Stage Register Paper," for registering the marks earned. It was headed "Stage Register of 2386. George B—." Each prisoner is entitled to eight marks a day, should he do nothing to forfeit his right to this privilege. At this prison a prisoner can earn a maximum sum of ten shillings, but he must have served over six months to attain to this.\* Another card is that which indicates the diet.

A variety of industries are carried on at Wormwood Scrubs, including the manufacture of mats, mail-bags, ships' fenders, carpets, boots, tailoring, building, etc. All the work is done for Government. At one time they made mats for a private firm, but the trade union created some trouble in the matter, so the supply was stopped. In one hall I visited prisoners were busy mail-bag making and ships' fender making. The fenders are filled with cork shavings, supplied to the prison by a private firm, under contract. The filling of the fenders presents a curious and animated scene. The fibre bags are suspended from above, and the prisoners, armed with stout wooden clubs, ram the cork into the bags.

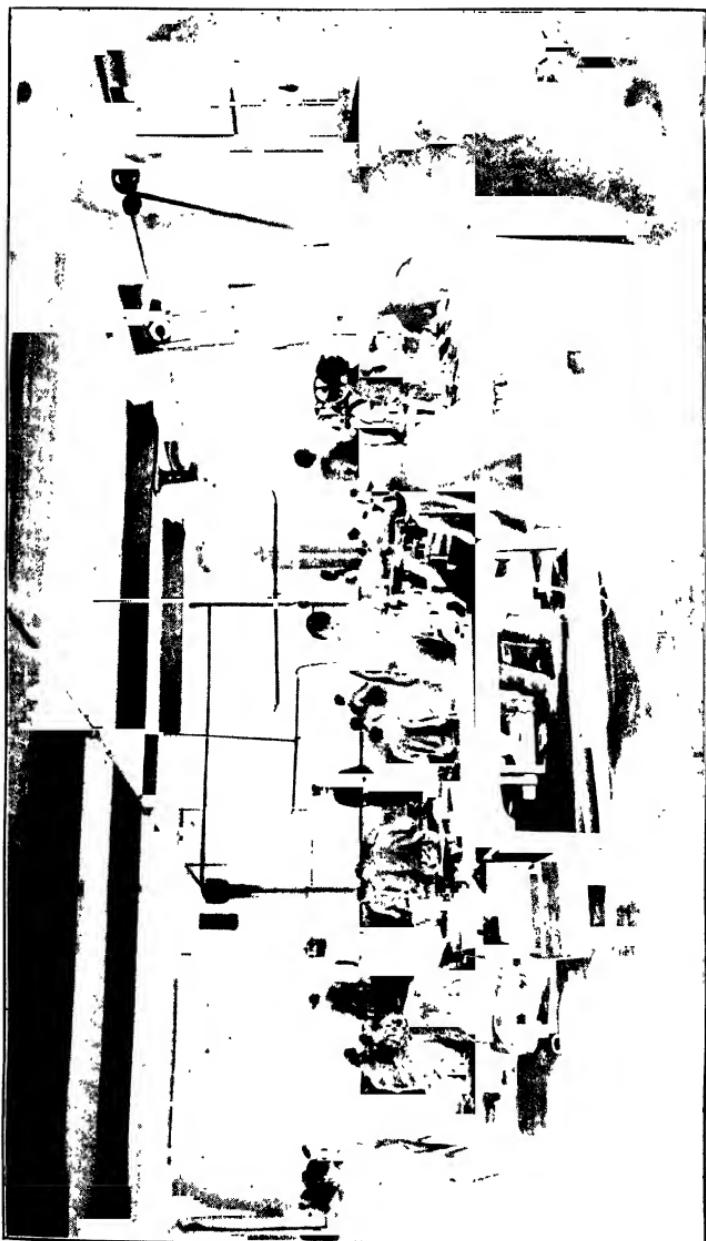
I now come to a very interesting part of the prison—namely, the debtors' section. We know that, nominally, imprisonment for debt is abolished.

\* This rule has recently been revised.

I say nominally, advisedly, for in many cases it is a distinction without a difference to say that the imprisonment is for contempt of court. Of this, more particularly after my visit to Wormwood Scrubs, I am convinced. While some judges are reluctant to grant committal orders, there are many who do so much too readily. The debtors' division at Wormwood Scrubs is, of course, kept quite apart from the other quarters of the prison. Here is a description of how debtors in prison are treated, and how I saw them.

Upon admission they are asked whether they will wear their own clothes, or would prefer a suit of prison clothes. This, at first, may sound a trifle ironical, not to say stupid, but, as a matter of fact, sometimes a debtor's clothes are so pitifully threadbare and dirty that the wearer is only too pleased to exchange them for a suit that will hold together, and does not let in the air too freely. At one time a debtor could feed himself, but now a thoughtful Legislature directs that he be content with prison food, and also that he must work, even though others may weep. The food given them is similar to that supplied to 2nd Division prisoners, and the work which is intended to physic their pain is fibre picking and mail-bag making.

The privileges they enjoy beyond those extended to ordinary prisoners are two periods instead of one of exercise, during which they may walk in couples, and console and condole with one another. They may write and receive more letters and more visits—although they may not pay any without the precincts of the prison—than an ordinary prisoner. For the rest, they live the life of the latter.



BOOTMAKING.  
(Wormwood Scrubs.)



It fortunately so happened, upon the occasion of my visit, that the debtors were issuing from their particular wing of the prison for one of their periods of exercise at a time when I was located in that part of the prison. They interested me immensely, for a more motley crew I never gazed upon.

They emerged from a doorway in single file, down a short flight of steps, and through another doorway to the exercise ground. Some of them were regarding their situation as something too funny for words, and their faces wore a broad grin. Others were gloomy and pained beyond expression. They were of all ages, sizes, and conditions. The variety of styles of dressing was most amusing.

One man would be wearing a long Newmarket coat, of a decidedly sporting cut, tripping lightly down the steps, as though he were hurrying to "put a bit on." He would be followed by a shortish man, in a "cutaway" coat, which had arrived at the olive-green stage of antiquity. Then would come an aged man in blue prison garb, followed by a frock-coated gentleman of somewhat distinguished appearance, looking not unlike a passive resister, somewhat regretting his passive resistance; next a tall, pale-faced, spindleg-legged, weedy-looking youth, wearing a waistcoat of showy and grotesque design, like a weird kind of wall paper, and looking indeterminately determined. It was not difficult to see that the obtrusive waistcoat had not a little to do with his present predicament, and visions of unpaid tailors' bills seemed to play about his person.

There were a few ordinary prisoners walking

close handy, and these the debtors regarded askance, with a "no connection with the business over the way" kind of glance. From a front coat button of each debtor was suspended by means of a loop a yellow number label, which dangled and swayed in a playful, impish manner.

The whole idea of imprisonment, either directly or indirectly, for debt seems altogether lame and illogical. A county court judge recently declared that there ought to be no such things as committal orders, as they lead to recklessness in giving credit. When a tradesman gives credit he takes a chance, and he knows the chance he takes. The only conditions under which imprisonment for debt is excusable is when it can be proved that a debtor has money, and from sheer dishonesty refuses to pay. But at the same time it is no remedy, for the man who will go to prison rather than pay will stop in prison rather than pay. And what better off is the creditor? None, but the innocent tax-payer is the worse for it.

Then for a short period the wrongdoer may find himself located at the "Scrubs," employed in one of the ways described. His personality will by this time be completely and exhaustively in the hands of the authorities, even to the smallest approach to a "strawberry mark on his left arm," and including his finger impressions, that curious and latest scientific development in connection with criminalogy. Although there are many human "doubles" in existence it is said that there are no two people whose fingers have similar "whorls" upon them. Therefore when a convicted prisoner is compelled to dab his fingers upon an inked

pad and then impress them upon paper he is himself furnishing evidence that may at some future date be "used in evidence against him." All these records are carefully kept, and can be referred to at any moment, and the identity of a suspected person fixed in a very short space of time. He is also photographed, both side face and front face, and these counterfeit presentments are kept with the other particulars. But the criminal, ever on the alert, has adopted a very simple yet very effectual method of rendering the finger-print evidence abortive—namely, by the simple process of wearing gloves, which, of course, leave no "whorls" behind. But then there are so many other ways of identifying a criminal who has been through the hands of the police, that this cannot be regarded exactly as a "victory" on the part of the former.

Suppose, however, the wrongdoer is what is now known as a "juvenile adult," then he will be subjected to altogether different treatment to that meted out to the ordinary criminal. He will be a fit subject for "treatment" at Borstal, and if we pay a visit there shall find out how he fares in this retreat.

## CHAPTER X

### BORSTAL—TREATMENT OF YOUTHFUL CRIMINALS

IT has long been a difficult problem to the authorities as to what to do with the youthful criminal, that turbulent juvenile who has probably been born and reared in crime, never known any gentle, home, or educational influence, and who is euphemistically termed a "hooligan." He is an important individual in the business of crime reformation, inasmuch as he represents the first stage in the evolution of the irreclaimable "lag." If his nefarious career can be nipped in the bud, an inestimable service to the State has been accomplished.

Up till quite recently it had been the customary thing to treat him somewhat brutally, in fact, to accord him a brute's punishment. Not much good, however, seemed to be derived from this somewhat archaic form of deterrent, and it was, therefore, decided to try humanitarian measures.

Most of these youthful wrongdoers are revolting, pitiful specimens of those who go to the peopling of the darkest depths of our social system. Born of drunken or negligent mothers, and of hardened, criminal fathers, within an environment of filth, squalor, and human degradation unspeakable, what can you expect of such sons of darkness? Crime and savage brutality are instincts with them, and their actions are governed by their

instincts. They are social lepers, social sores. Some say flay them ; others, educate them. It is the latter policy which the authorities have at length decided to adopt, and which has brought into existence that class of prisoner known as the "juvenile adult."

Borstal Prison has been in existence about twenty-five years, and was originally intended only for temporary purposes. It is situated, as most of our prisons are, in a retired locality, not far from Strood, and enjoys a somewhat icy isolation. It stands on very high ground, dominating the country for many miles round. Gad's Hill, the beloved of Dickens, may be plainly seen from the watch-tower. It has accommodation for 300 prisoners, and upon the occasion of my visit ninety of these were "juvenile adults." The then governor was Mr Western, who, however, has recently been removed to another establishment. This humanitarian method of dealing with young offenders was really initiated by Mr Western, who first tried it at Bedford Prison, when he was governor there, with very gratifying results. The system has been in force at Borstal about five years, and it is calculated that about fifty per cent. of the youthful prisoners so treated have reformed, and have not returned to criminal lives. The ages of the prisoners range from sixteen to twenty-one.

Mr Western is a gentleman with a long experience in the management of prisons—something over forty years—and some time ago was selected by the Government to reorganise the police system in West Africa, which he did with

eminent success. I presume he is still carrying out his humanitarian methods at the establishment to which he has been drafted. In all questions of discipline he is a strong advocate for humanitarian measures, and in the case of the convicts which he then also had under his charge at Borstal, he ruled firmly, yet discreetly and wisely. In a long chat I was privileged to have with him in his private residence at the prison, I was much impressed with his account of how he got at the understandings and respect of his youthful charges. He never, he said, lost an opportunity of illustrating a point of argument with an anecdote, which he always found very helpful, often using his own personality to indicate a moral and adorn a tale. He also occasionally invited outside aid, and a few days subsequent to my visit the Salvation Army were to attend at the prison.

Having thus imbued them with a sense of duty and gratitude, he tested his own faith in them, and their faith in him. For instance, when they were at their evening recreations in the school-room (I shall refer to this again presently) a guard of officers was always present. Just before it was time to retire the governor would purposely dismiss the guard, and then direct the prisoners to return to their cells quietly and unattended. This they did implicitly.

The treatment of these prisoners is like the treatment of no other prisoners in the system. They are kept entirely apart from the convict section, their lives being ordered on very much better lines. They have a fine roomy chapel,

which is decorated with a number of ornately designed texts, which were the work of a late inmate, the son of a clergyman. The choir is made up of the "hooligans" themselves, who, to quote the governor's own words, "sing like young nightingales." They are taught all kinds of trades, and a special feature of the prison is a schoolroom, which is not unlike a room in a Board school. In addition to being given a liberal education, they are also allowed to indulge in recreative amusements of an evening, such, for instance, as chess, dominoes, draughts, etc., and may carry on conversation within the discretion of the governor or schoolmaster. They are also very quick at picking up trades of which they had no previous knowledge.

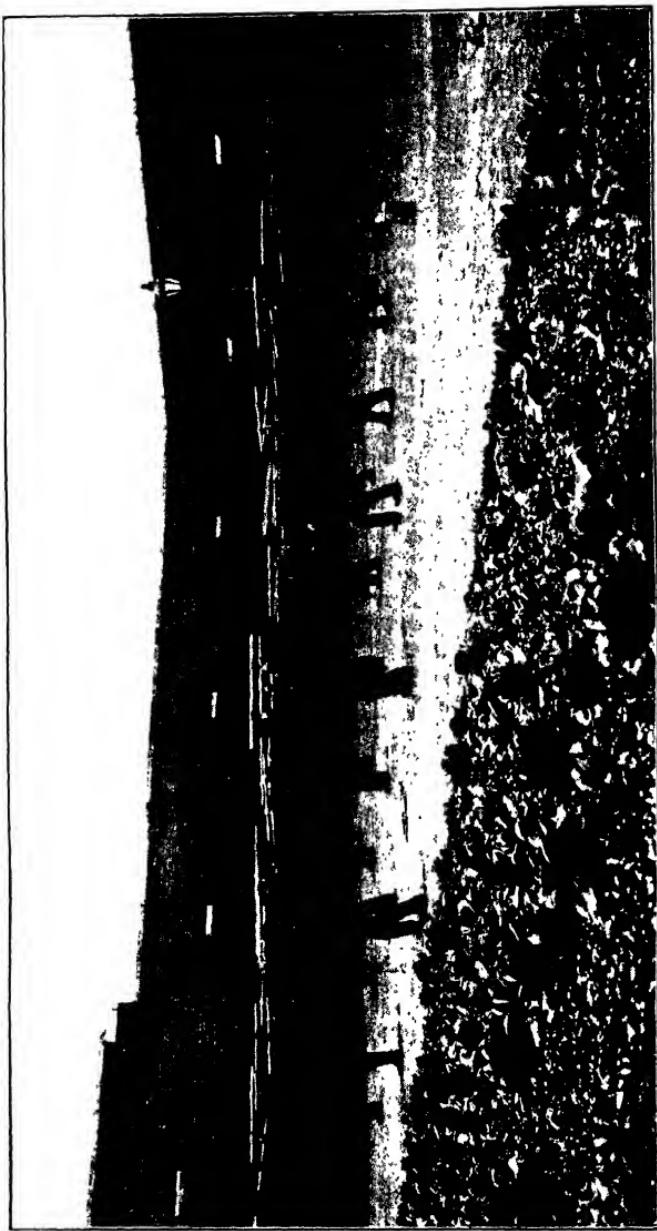
Their cells are twice the size of the ordinary prison cells, and are fitted with a small iron bedstead, with a spring mattress. The walls of the cells are adorned with bright texts; and every Christmas the governor presents each prisoner with a card, or at least it was Mr Western's custom so to do. They may have books and also indulge in knitting during their leisure time. They may also have photographs of friends in their cells, a privilege which is generally taken advantage of, some cells having three of four such adornments, while, on the contrary, others had none at all, which may be indicative of the friendless condition of the occupant.

In addition to their scholastic curriculum, they are also put through physical drill. They are marched into the exercise ground, and, armed with long wooden poles, something after the form

of broomsticks, they are put through a number of facings by an officer, who is a drill inspector. Supposing the weather is favourable, these drills are gone through twice a day. It was certainly a remarkable sight to see these young criminals, in response to the shouted orders of the instructor, neatly and expeditiously respond with various evolutions. I saw nothing like it in any other prison, and it set one's mind revolving round the humanitarian side of the treatment of criminals.

There will, of course, nearly always be divided opinions on the subject, but the Borstal system has so far proved eminently successful, as demonstrated by the small percentage of the prisoners so treated returning to evil courses. It is of course scarcely advisable that the wrongdoer should be pampered, but there is a difference between pampering and administering punishment on humane methods. Although the youthful criminal of Borstal is invited rather than cuffed into leading a better life, he is never allowed to overstep the boundary line which divides a convicted criminal from his custodians. It is true that the governor takes them in hand personally, and individually, but they are, nevertheless, made to observe strict discipline, and are punished for any act of insubordination. It is the method of doing things that tells in the end ; and the end should justify the means.

The subject of prison supervision is a very important one, and Mr Western's methods are unquestionably those which should prevail with a certain class of prisoner. The conduct of a governor is reflected in the general air of the



"NEATLY AND EXPEDITIOUSLY RESPOND WITH VARIOUS EVOLUTIONS."  
(Borstal.)



prison, and there is no reason why all our prisons should not in a measure wear a similar aspect. But they do not, some of them being as widely different as the proverbial chalk and cheese. One may impress and depress you as a stern, chilling house of bondage, while another will entertain and encourage you as a reformatory and enlightening institution. It is just the difference of the governorship, that is all.

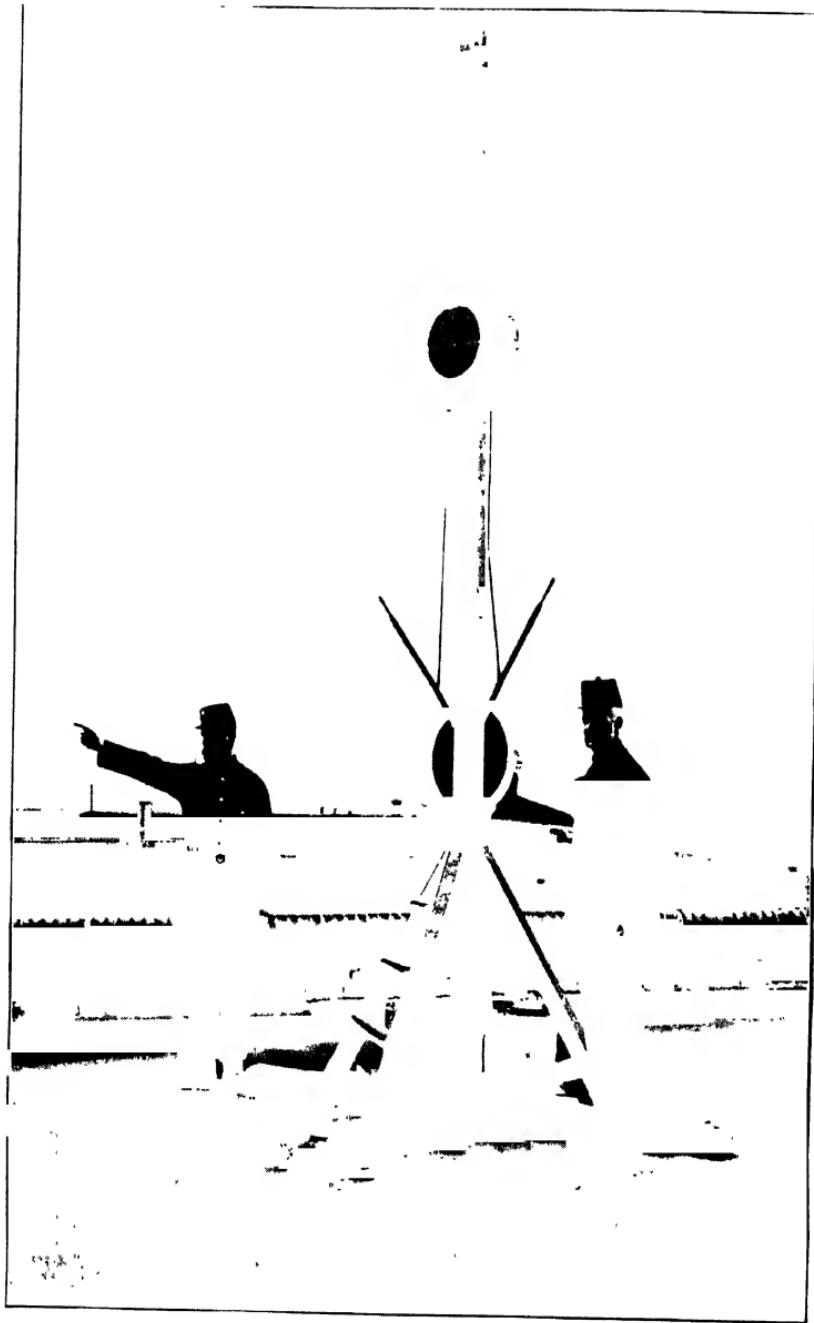
One of the most interesting apartments in the "hooligan" side of Borstal is what is known as the adjudication room. It is a small square room, with an arched brick, whitewashed roof, uncompromisingly uncomfortable. It is fitted with a stout iron division railing, behind which the prisoner appears. Immediately facing him, on the other side of the railing, is a wooden table, with on it a small sloping desk. Behind this sits the governor in a big chair. Behind the governor is a fireplace, and above this a card of rules, and at the side a wooden screen.

Here it is that the last words are spoken between governor and departing prisoner, whose time has expired. Here it is that such men as the governor of Borstal exhort and encourage, in a few brief but earnest words, to a better life, to a creditable life, to themselves, and to their fellow-men. And from such well-meaning men such words, seeds of compassion and common-sense, seldom fall upon barren soil.

I did not visit the fortifications, being content with a view from the prison watch-tower—the distant semaphore, and the civil guard patrolling a wooden bridge, being plainly discernible. It

is from this tower that escapes are signalled. There is a standing reward of five pounds for anybody who is instrumental in arresting a runaway.

If the wrongdoer should happen to be of the female persuasion she will very soon find herself at Aylesbury, which is a female convict prison, and to there we will now betake ourselves.



'IT IS FROM THIS TOWER THAT ESCAPES ARE SIGNALLED.'

(Borstal.)



## CHAPTER XI

### LIFE AT AYLESBURY CONVICT PRISON

THE women's and men's penal settlements are as unlike as two peas are like. The latter—I refer to Dartmoor, which we shall visit next—is forbidding, rugged, stonebound. Within the precincts of the prison one looks in vain for a trace of colour to relieve the heavy monotony of the chill grey walls. The officers carry summary death on their shoulders, or at their sides ; they are ever alert, waiting and watching. Any day may bring a desperate encounter, and perchance the sacrifice of lives.

At Aylesbury the conditions of life are very different. The establishment is situated on the picturesque outskirts of one of the most interesting of English historical towns. The rustic environment of the prison is delightful, and the building itself is constructed of bright and cheerful brick. Were it not for the large, ironbound entrance gate, and the notice-board, you might pass it for the spacious abode of some wealthy country squire. There is a subdued reposeful air about the place, suggestive of the habitat of a peaceful and orderly community. It has little in common with Dartmoor.

Women, being of a sensitive, nervous temperament, suffer more acutely under penal servitude than men. I saw several inmates, young women

principally, who wore an air of truly pitiful weariness, that made one's heart ache to behold.

At Aylesbury there exists also a "star" class, consisting of prisoners who are first offenders, and have never before been in prison of any kind, having previously lived a respectable life. They are distinguished by a red cross on the left sleeve of their dress. They enjoy certain privileges not accorded to others. They work in the officers' quarters, and do the cooking. It is a most gratifying thing to learn, and eloquent testimony to the excellence of this system, that very few "star" prisoners have been known to return to prison.

It is almost superfluous to state that everything in and about Aylesbury Prison is as clean as the proverbial new pin. All the metal utensils in the cells shine like burnished silver, and there is scarcely a crease or crumple to be discovered in the coverings of the little beds. Some of the inmates take more trouble than others to keep their cells in order. The deputy-governor pointed out one particular cell, remarking that the occupant was most painstaking in her efforts to keep her cell clean and tidy. Unfortunately, she was possessed of a very violent temper, and when this asserted itself, she was less assiduous in her cell duties. Said the deputy, he knew by the arrangement of the bedclothes, when she was in this condition.

By the way, while looking into this cell I noticed something fastened to the wall, and on approaching closer I discovered it to be a few branches of lavender taken from the garden, tied round with a piece of scarlet ribbon, and fixed on to the wall



"IN THE TWINE-MAKING SHOP."  
(Aylesbury.)





with a tack. It was most effectually perfuming the apartment. I called the attention of the deputy to it, and he promptly removed it, incidentally admonishing the female officer for allowing it to be there. The latter, however, expressed her complete ignorance of its presence.

This pathetic little incident indicated how strict is the discipline that prevails in the establishment. It is, of course, necessary to be strict, and if a privilege of this kind, small and innocent enough in itself, were allowed, it would inevitably lead to other and more serious derelictions of the rules. Emotional considerations cannot be admitted into the management of a penal prison.

Female prisoners are very troublesome to their custodians, though not in the same violent manner as male prisoners. There is a class of prisoners at Aylesbury, known as the "wishers." That is to say, they are constantly expressing a wish to see the governor without any adequate reason or cause. As I passed into the central hall, the governor, Mr Walker, pointed out a number of these "wishers," who were standing in a row, waiting to speak with him.

Directly I made my appearance in this part of the prison, a pale-faced inmate, catching sight of me, and apparently guessing the nature of my mission, darted into a cell, the door of which she closed. This was Mrs Maybrick. I mentioned this incident to the governor, and he informed me that, if she could help it, I should neither see or speak with this prisoner. As for her appearing in a photograph, the idea was quite out of the question. I also learned that, during the first

stages of her incarceration, Mrs Maybrick was a very troublesome prisoner.

Believe me, dear reader, they have some fearsome ladies at Aylesbury, veritable wildfowl ! On one occasion the governor was leaving me in charge of his deputy for a short time, and as he took his departure he enjoined me not to elope with any of the inmates ! He evidently, however, had no great apprehension in the matter, for he accepted my simple assurance that such was not my intention, with a supplementary "Heaven forbid ! "

While standing on one of the balconies inside the prison, I noticed on a balcony opposite a little, wizened old woman, busy cleaning. I remarked to an officer that she appeared very aged, and he informed me that she was between seventy and eighty, that she had served fourteen years of a life sentence, and that the crime of which she was convicted was homicide.

As I stood beside the governor, watching the inmates filing out to the workrooms after the dinner interval, a curious thing happened. Just as the governor had remarked to me that they had some awful hypocrites in the prison, a prisoner came limping along with a stick, a considerable distance behind the others. As she passed us the governor seemed to be very much exercised in his mind concerning her, muttering under his breath what sounded to me like forcible imprecations.

In response to my inquiries as to the identity of this particular prisoner, I was informed that she was the Mrs Nicholls who was convicted at the Old Bailey of cruelty to her girl servant, in conse-

quence of which the latter died. It appeared that the woman, soon after admission to the prison, had undergone some kind of operation, and although she had quite recovered, many months before, she was still "playing the invalid."

A youngish woman with a pert smile on her face attracted my attention, and in seeking to discover her identity I brought to light a most remarkable incident. It was the young woman's defiant and easy-going manner which first drew my attention to her, and the information I am about to impart to the reader will amply account for this demeanour. My meeting with this woman within the walls of a penal prison formed a link in a remarkable chain of coincidences.

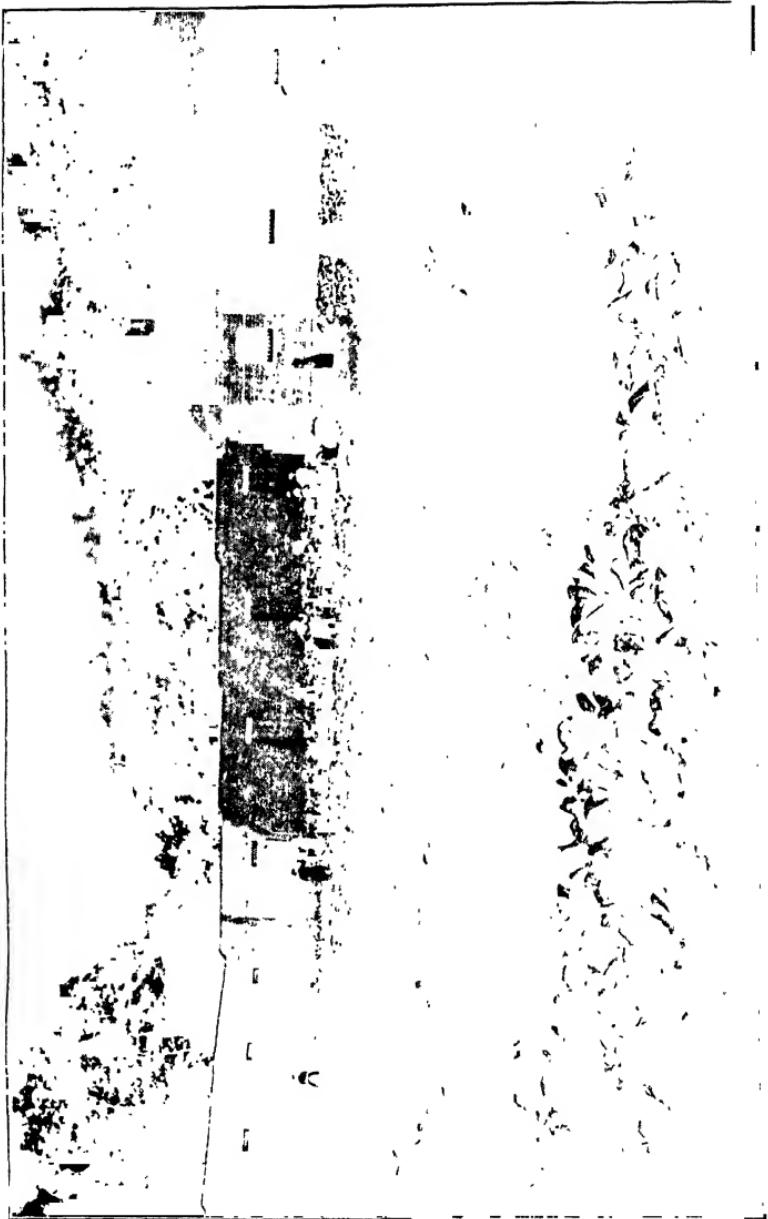
Some time ago I interviewed for the public press a medical recruiting officer at St George's Barracks, and during our chat he related to me how, on one occasion, a young woman, disguised in male attire, had presented herself at the barracks for enlistment, and that her sex was not discovered until she had proceeded a good way on with the formalities. Being discovered, she treated the whole business as a huge joke. She was handed over to the police, but was subsequently released. That was as much of the incident as I learned from the recruiting officer.

Subsequently, while interviewing one of the leading barristers of the Criminal Bar, I asked him to describe some of the most curious cases he had had to deal with. To this request he cordially responded, and among other things related how he had defended a young woman who, having stolen a suit of male attire, had donned

the garments, and presented herself at a military barracks for enlistment ! This was the case referred to by the recruiting officer. It appeared that the young woman, having been released on her own recognisances, retired to one of the seaside towns, where she opened a kind of boarding or lodging house. From here she wrote to the barrister in question, thanking him for the service he had done her, and cordially inviting him to visit her, should he find himself at any time in that town. Of course, the barrister did not respond.

Later, the lady committed a much more serious offence, for which she was sent to penal servitude. And this was the woman who stood before me in prison garb, the woman I had heard so much about from different sources, and whom I now saw for the first time in the flesh. It was characteristic of the woman that she should take her punishment lightly.

The food served out to the prisoners is of very good quality. When I visited the kitchen, they were busy preparing a dinner which consisted of beef, cabbage, and potatoes. The last-named were cooked in their "jackets," not boiled, but steamed in a large iron chamber. The door of the oven fits very close, a handle is turned, and the steam rushes in from below. I tasted the food, and found it very good. A special diet is prepared for the hospital, and the vegetables are grown by the prisoners themselves. They also indulge in flower cultivation, and one of the exercise grounds might have been a County Council park, gay with beds of bright blossoms and fancy



"THE VEGETABLES ARE GROWN BY THE PRISONERS THEMSELVES."



borders. The governor said that the women made good gardeners.

The women are mustered and marched out to labour in much the same manner as the men, but there is no process of searching. All implements which they may have been using are collected and locked up till they are required again. If a tool is missing, the prisoner who has been using it is not allowed to leave the workroom until it is found. Scissors are the only weapons with which they could do themselves any injury, and these are very carefully looked after.

A female prisoner may earn by good marks a sum of four pounds in a sentence of not less than five years. There is an extra two pounds added in the case of a prisoner going to the Prisoners' Aid Society. The whole of the money is not handed over to them upon their leaving, only ten shillings being given them, and the balance handed over to an Aid Society, who dole it out to them, or invest it in something, according to the wish of the prisoner. A woman can earn six marks a day, a man eight. A woman, however, has a remission of four months of every year of her sentence, provided she is well behaved, whereas a man has only three.

Some of the inmates have been in and out of the prison for many years, seeming to prefer the life there to that of the outside world. When they return to durance they greet the officers in a cordial and familiar manner, as one would greet an old friend. It is a fact that many of them fare better in prison than they do outside. The governor told me of an amusing incident in con-

nexion with one such return to the house of bondage. A woman, who had served many terms there, was one day driven into the courtyard to serve yet another sentence of penal servitude. As she alighted from the vehicle she gazed round the walls with a look of satisfaction, and, heaving a sigh of relief, exclaimed, "Thank goodness I'm back home again at last!"

There is a male as well as a female staff at Aylesbury, but the former do not in any way interfere with the prisoners except in cases of serious insubordination, when their physical assistance is enlisted. There is a separate penal wing for the reception of the troublesome, who are also further punished with a reduction of diet, and sometimes with canvas dresses. The female staff consists of twenty-two officers, comprising chief matron, four principal matrons, five matrons, eleven assistant matrons and a nurse. The remuneration is good, and consists of a hundred pounds a year for the chief matron, and between forty and fifty pounds for the chief officers, with quarters in the prison. They are recruited from the general public, and must first pass an examination, possess three testimonials, and be adjudged physically fitted for the work by the doctor.

The daily routine is practically as follows:—Rise at 6, at the ring of a bell; breakfast at 6.50; prayers, 8; commence labour, 8.30; dinner, 12; labour again, 1.20; supper, 5.10; locked in cells, 6.45; lights out, 8. Saturday afternoon is a half-holiday, and no work is done. The prisoners are allowed to sit outside their cells on stools, and

sew and chat ; there is no voice of admonition, and their loquacity has full play. The holiday also extends to half the staff, who have leave of absence.

The work of female convicts is not so valuable as that done by the males. In addition to gardening, which I have already mentioned, they make twine, which is the heaviest form of labour they are put to. Cooking comes naturally to them, or many of them, as also does sewing. The latter is where the most skill is discovered, and in this connection they have found a few wonders. One of the prisoners was an expert at making fancy penwipers, embellishing them with various figures of men, and other animals. They are allowed to indulge in knitting and crotchet work as a pastime. In the laundry they are, of course, also at home, or soon become so.

On the garments worn by female convicts the broad arrow does not appear. Their headgear is a hideous straw bonnet, which fits flat on the head, goes well down behind, and seems to pinch in the face on either side. The lettering and numbering is the same as obtains in male prisons.

Female convicts appear to entertain a stronger aversion to the camera than the males. Some seemed to possess almost a superstitious awe of the instrument, while others regarded it as though it were an infernal machine, and likely to explode at any moment. In the laundry some hid behind a mangle while the picture was being taken, and in the twine-making shop one woman protested that she would not be photographed, yet persisted in remaining in focus. Others did not mind at all,

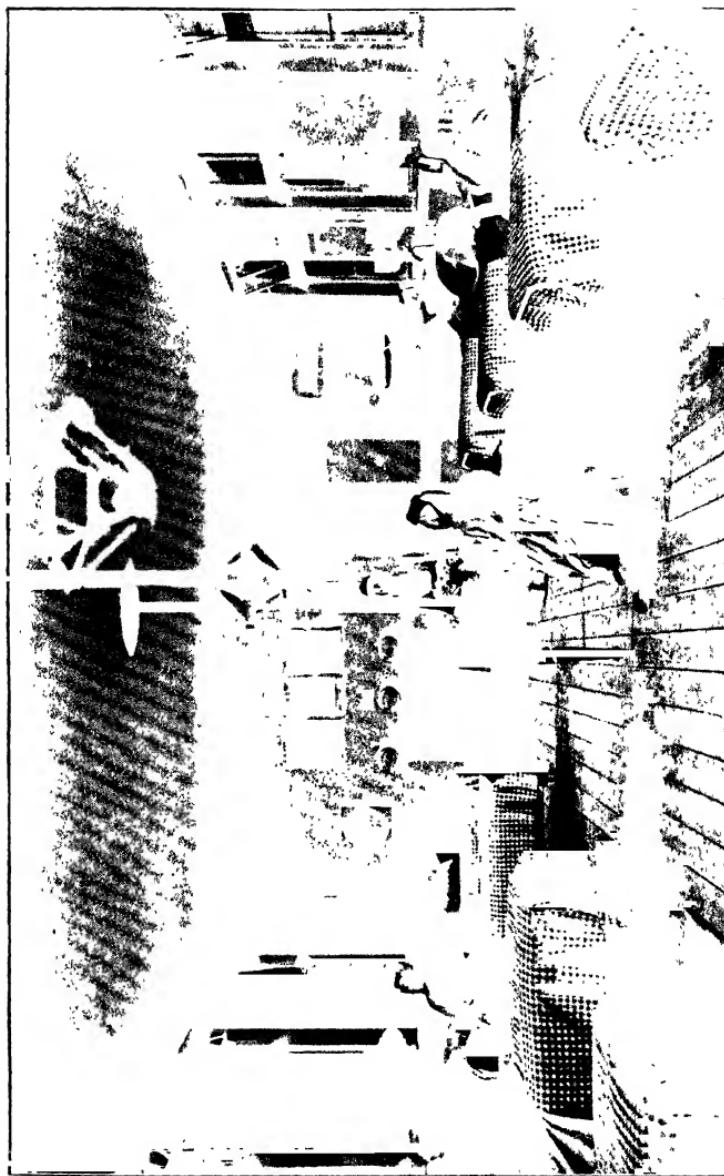
one remarking, "Nobody'll know me in this dress!" In the twine shop was a Frenchwoman, who spoke very little English. She had the appearance of a fishwife, and seemed pretty contented with her lot. Her crime was that of coining, in partnership with her husband, who was enjoying British hospitality at another establishment.

Altogether the prison is a wonderful system of doors, gates, corridors, bridges, balconies, etc. There are two chapels, a Protestant—the altar of which was presented by the Duchess of Bedford—and a Roman Catholic. In the central hall is a large, gaily decorated clock, which chimes with a sonorous clang. The governor thought of having the beater muffled, but he found the prisoners rather liked to hear the chiming, so he has left it alone. The meals are sent up in a lift from the kitchen, and it is rather amusing to see the cover fly up like a trap in a pantomime.

Every quarter there is a fire drill.

As I have already stated, many are the petty worries to be endured at the hands of the prisoners. One woman had a lot of formidable teeth which had to be extracted. She had been to the dental chair several times, but on each occasion had refused to face the ordeal. Finally, she was operated on while under the influence of ether. Sometimes the prisoners will catch birds, and smuggle them into their cells, for the purpose of taming them. Of course they are taken away.

In the governor's quarters are some wonderful pictures painted by lunatics. One, called "Holy Sepulchre," is in a handsome carved oak frame, the work of the same individual. Another



A HOSPITAL WARD  
(Aylebury.)



large painting consisted of a mixture of ancient and modern architecture, and was obviously the product of a mind deranged. There were queer-looking stunted trees and colossal archways, one building bearing a striking resemblance to Wormwood Scrubs Prison, which, doubtless, the artist was well acquainted with.

In conclusion, the system prevailing at Aylesbury seems to be tolerably humane, wisely ordered, according to our present methods, and skilfully administered by the staff. "

Supposing that the male wrongdoer has been sentenced to penal servitude, having served his "separates" at a "local" prison, he will be drafted to a penal prison. He will probably form one of a gang who are destined for the same place. He will not receive any notice of his removal, but will just have to be off at once. He will go by rail, and the gang will be looked after by so many officers. On the way to and at the railway station he will, if he has any sense of the shame of his position, suffer a good deal at the hands or the eyes of those of his free and unthinking fellow-creatures whom he thus briefly comes in contact with while on his way from one place of bondage to another. Nothing can be said in defence of those people who inflict undeserved humiliation on luckless convicts at railway stations by laughing and jeering at them. They must be quite brainless. Rather should they figuratively place themselves in the position of the fettered ones, and repeat to themselves, "but for the grace of God." Nor can the authorities be exonerated from this thoughtless brutality, by

placing their charges in such a position. It is difficult to believe that this sort of thing is necessary.

We will suppose that Dartmoor is the destination of the wrongdoer, and will pay that far-distant prison a visit, in order to ascertain how he is likely to fare at a place where he is likely to remain for the remainder of his sentence.



GENERAL VIEW OF DARTMOOR PRISON.



## CHAPTER XII

### DARTMOOR THE RUGGED

YES, from London to Dartmoor is a far cry. From turmoil and tumult, bricks-and-mortar and vitiated air, to quietude and health-giving moorland breezes. And such breezes!—they blow away in a very short time all musty thoughts and invalid feelings. I elected to break my journey at Plymouth, and take the first train in the morning for Princetown. From Yelverton to Princetown the scenery is very rugged. Here you lift your eyes to the summit of a lofty hill, there you gaze deep down into a picturesque hamlet. Before you towers “King Tor,” scarred and pitted with the debris of a distant past. It is as though an extensive town had been reduced to ruins by a prolonged bombardment. Very interesting it is to notice how the railway “negotiates” the tor, which it has to do in order to reach Princetown. It is a single line with many gradients, and so serpentine are its windings that at a certain spot you are able to see the line in two different places, which you have already traversed, or have yet to traverse.

Princetown is a very small village—you cannot call it a town—and you can almost count the buildings of any importance on the fingers of one hand. The most important, of course, is the prison, and to this I quickly made my way. I

was expected. It is distant but a few minutes' walk. On the left you pass the churchyard, and on the right the warders' quarters. Nearly every building is composed of either stone or granite, lending a stern and uncompromising aspect to the place. In a measure this is in keeping with the fitness of things.

On the right is the main entrance to the prison. The first gateway, which is of granite, formed part of the original prison, in which the French and American prisoners of war were confined, and in which many died, in the early part of the nineteenth century. At the top are deep graven the words, "*Parcere Subjectis.*"

It were hardly necessary for me to state, but I will just mention it at the outset, that the strictest discipline prevails at Dartmoor Prison. I was handed from one officer to another, with a "Stay here, please!" in between each, and an "All correct" afterwards. This is a prison formula, and if I heard it once I heard it a hundred times. Finally I reached the governor's quarters, and was received by the deputy-governor. Upon presenting my credentials everything was found to be in order, and a special warder was told off to pilot me through and about the prison. I kept this official very busy for close upon two days.

I propose, first, to deal with the officers. Altogether there were 178. These included labour warders, assistant warders, principal warders, chief warder, and civil guard. The last-named, who always carry fixed bayonets, do duty along the outer wall, and at the quarries, and with outside gangs. The principal warders

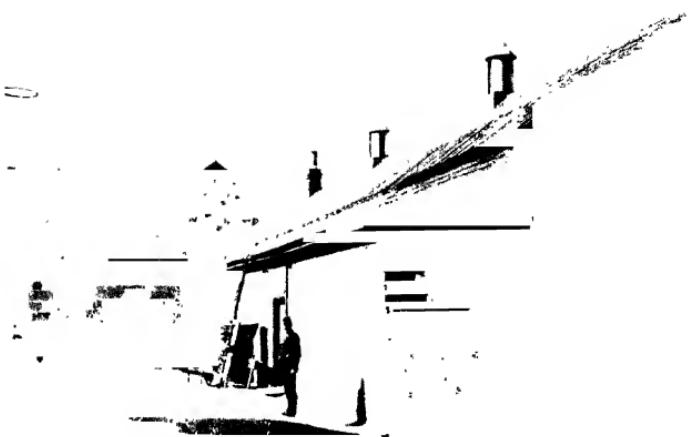
are armed with swords, and the assistants, outside, with loaded carbines, and inside, with truncheons. Quite military discipline prevails among the officers, with a salute for superiors, and an affix of "sir," one to another. So assiduous are these men in the execution of their duties, so complete and perfect is the system of espionage which obtains in the establishment, that it is no exaggeration to say that not for a single moment is a prisoner out of the eye of one official or another.

There is a watch-tower at the quarries, and another in the prison. These are round structures with a small windowed apartment at the top, and a signal-post rising from the centre. The latter is something like a railway signal-post, fitted with several semaphores, which drop flush into the post, and are worked out by means of wires. The code of signals is secret, but they are able to report to headquarters anything that is in progress at any spot, by means of the semaphores. Upon these towers officers are constantly stationed, sweeping the surrounding country with their telescopes, and receiving reports, some of them from a working two miles away on the moor. It took this gang thirty-five minutes to return to the prison.

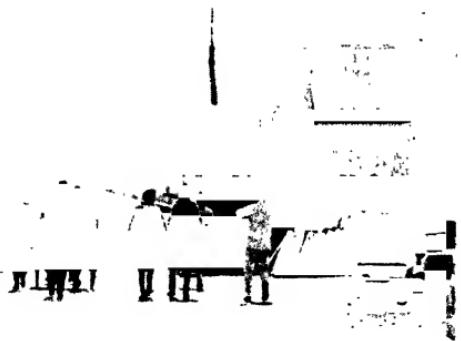
Signalling and reporting are continually in progress throughout the day. Notice that officer with fixed bayonet, standing on a distant eminence, strongly silhouetted against the sky ; he has been parading up and down, but he stops suddenly, and holds out his right arm. Turn and look into the valley, and you will see another officer reply in kind, "All correct."

The prison day begins with the ringing of a bell at ten minutes past five, when the prisoners rise. At half-past five the officers come in. At a quarter to six breakfast is served, and at seven service is held in the chapel. At seven-fifteen the men turn out for parade and labour ; they are searched, and marched out to their various occupations, each batch being numbered and counted. In the operation of searching the prisoner takes off his cap with his right hand, and stands with his arms outstretched ; the officer then goes down him, back and front, from top to toe. The whole thing is done very expeditiously, as indeed are most things in this establishment, for time is an important factor in its proper conduct.

They return at eleven-ten, when the counting and searching are repeated, and they retire to their cells. Dinner is served at eleven twenty-five, and they go back to work at one. The day's labour is finished at five, and supper is served at a quarter past. At eight, bed. Between supper and bed prisoners may do as they please with their time within the limits of their cells. Some read—most of the cells were well furnished with books—others write. I saw in one of the cells the draft of a letter pencilled on a slate, addressed to a “Dear Friend,” and beginning, “No doubt you are sorry that I am here——.” It had evidently been a task of considerable difficulty to the writer, who was not too well gifted in caligraphy. A warder informed me that the prisoner would go on adding to, and improving the epistle in such a manner till he was satisfied



"EVERY BUILDING COMPOSED OF EITHER STONE OR GRANITE."  
(Dartmoor.)





with it, when it would be produced on paper, and despatched in the usual manner.

This is practically the routine, day in, day out ; year in, year out. There were close on a thousand prisoners in occupation upon the occasion of my visit. Seven had just been released, and eleven fresh ones soon after arrived. They were driven over from Taunton in a hired brake which was fitted with black curtains all round. Most prisoners for Dartmoor are taken to Taunton, because the journey can be made direct. If they were taken to Princetown they would have to change.

I saw the prisoners paraded on several occasions. Among them I noticed some truly hideous faces that I thought I never should encounter during my life's journeyings. Independent of the prison dress, which, of course, is not calculated to impart an air of elegance to the wearer, these faces were superlatively ugly—physically and morally. Men cradled in crime, and in all human probability destined to die in it. Social lepers—incurable. Obviously it is well for society at large that such creatures are safely impounded.

But, speaking generally, the majority—a large majority—were men of really pleasant countenance, in some instances quite prepossessing in spite of the unfavourable conditions of their environment. Some seemed quite content, moving about their tasks with alacrity and interest. There is quite an amount of geniality and kindness from warder to prisoner, when the latter is well behaved and tractable. Instead of being regarded as a mere cypher, they are often ad-

dressed by name. This, explained a warder, is much better than using a number, or no distinction at all, for when they are in a group it is difficult for a man to know when he is spoken to.

It is not to be supposed that the Government pamper their criminals. Far from it. One well-known criminal, while in the dock, made the remark that penal servitude reduced a man to the level of a dog. It should not do so. It should rather be a case of raising a dog to the level of a man.

Every prisoner, up to the age of forty, is taught to read and write, provided he needs it, and a great many do. This is as it should be, for crime is largely the outcome of ignorance. They are also, I was told, taught a trade, and if this were carried far enough it would be an excellent system. Every man would be an asset. He would be productive. He would be learning a trade, and while perfecting himself in it, contributing to his own maintenance. That is a great improvement on the old method of non-productive labour. Even his punishment for rule-breaking is a saving in rations. As to the kind of trade to be adopted, a prisoner's physical fitness and personal inclinations are studied—so I was informed.

When a man has completed his sentence he is given a new suit of clothes, and any money which is due to him on account of good marks. In a five years' sentence he may earn four pounds, and six pounds in a seven years' sentence. The latter is the most that can be earned. If they behave they also have a remission of one-fourth of their term, as I have before mentioned, and

during the last three months they are permitted to grow their hair and beard. If they were convicted in London they are returned there for identification, and subsequently released. If they were convicted in the country they may claim to be discharged either in the country or in London.

Well, a man is discharged—he is once more a free man. By careful husbanding his money may last two or three weeks, then what is he to do? He is a social derelict with the world's back to him. Where is the employer of labour who will take a servant without a reference, and what reference has such a man? He is prison-tainted. He realises to the full how beautiful is the charity of the worldly-honest. Is it surprising that he returns again and again to prison, which is practically his only haven of refuge?

In 1874 they started a system of lettering as well as numbering convicts. They begin at A and work right through to Z. Thus, supposing a man is brought into the prison in the year A, his sleeve will bear that letter followed by a number. Then if he should serve his time, and return for a second offence in the prison year, say, K, his sleeve will bear the letters, A K, followed by a number. And so on for each term. I noticed some of the prisoners had quite a batch of letters on their arms, as though it was their ambition to go through the entire alphabet.

When a prisoner first arrives he is supplied with a drab cloth jacket, moleskin breeches, and short gaiters. In his second period he wears

black facings, a short piece of braid on the neck and another on the sleeve. In the third period the facings are yellow. In the last year of a term of not less than seven years, a "special service" dress is worn, all blue. The farm hands, who are to a certain extent privileged prisoners, wear jackets of blue, with red collars and cuffs. All prisoners wear what is called a "slop" jacket, which is blue with red stripes. The black dress is a punishment dress, which is worn by those who assault the warders. It is really a parti-coloured dress. One half of the tunic is black, and the opposite leg of the breeches; the remainder is white. I saw only one man wearing this, a bad-tempered man, said the warder, who was repeatedly refractory. For tearing up their clothes they get a stiff canvas suit, which is very uncomfortable, particularly when it gets wet. I saw three prisoners wearing this dress, and, strangely enough, they were nearly all of a size—small and insignificant. It looked as though the spirit of mischief had some relation to physique. In the case of a life sentence the letter L is affixed to the sleeve. Life sentences are reconsidered at the end of twenty years.

In the matter of photographs, I encountered some peculiar experiences. In the carpenter's shop we met with a rebuff at the outset. A prisoner may object to being photographed, for other than prison purposes, and his objection is always allowed. A prisoner in the carpenter's shop objected vehemently, and he was permitted to retire. He said he had once seen his portrait in *The Hue and Cry*, and that was quite enough

for him. He was an old man, a coiner, and had practically spent his whole life in prison. Another man near him said he did not mind how he was taken, back or front, and so the picture was arranged accordingly. It was a condition laid down by the Home Office that no prisoner should be photographed in such a manner as to be recognisable ; and I endeavoured to maintain this rule. Many prisoners, however, were almost anxious to appear in a recognisable position, but were not allowed.

From the carpenter's shop we moved to the mortar-mixing and sawmill shed, and thence to the basket-making shop. This presented a very busy scene, and some excellent work was being turned out. Beneath this was a large "association" ward, which was used to confine the French prisoners of war. Hammocks used to be slung across for sleeping accommodation. It is now used as a storeroom. Above the basketmakers is the bag-making shop. The workers here were a superior class of prisoners, and were what is known as a "doctor's group." That is, they were in the hands of the doctor. So many of them objected to the process of being photographed that we decided to abandon this particular department.

The stonemasons' yard contained some very rough and somewhat turbulent prisoners. We were approaching this place when my guide strongly advised me not to go inside, counsel which I was not inclined to ignore. It appeared that these stonemasons were prisoners who were in the first period of their sentence, and had yet to

learn the value of good conduct. They did not know what they lost by misbehaving themselves, and were very troublesome. Discipline breaks them of this in time, and they grow wise with experience.

The twine-making shop was very interesting, as were also the tailors' and shoemakers'. Both the latter were very roomy. There were also painters and blacksmiths. A new blacksmiths' shop was being built around the old one, at the same time the latter was being demolished. In the laundry the men wash, rinse and wring like their sisters ; the drying being contrived in a very effective manner. There are no clothes lines, with flapping garments, all the wet things being hung on rods in metal chambers which are heated from below. The doors fit very closely, so that the process of evaporation is soon complete.

The kitchen and scullery are clean as the proverbial new pin, as indeed is everything about the prison. In fact, the establishment is a veritable triumph of systematic cleanliness. It is really a wonder they do not endeavour to extract the motes from the Dartmoor sunbeams ! In the kitchen they have an enormous range, as their cooking is on a large scale. There is an appointed chef, who is assisted by the prisoners. A large pair of scales, about the size of a coal balance, and a scoop, are used to weigh all comestibles, and on the walls are tablets of instructions as to the composition of different classes of diet. The individual meals are served out in tin receptacles, which are so constructed as to contain the complete repast, meat below, potatoes at the top. In the



DARTMOOR.



scullery the washing up is done far more expeditiously, and effectively, than was ever dreamt of by the most accomplished Mary Jane.

I saw them making bread in the bakery in huge quantities. The loaves subsequently emerge, small and brown. I tasted a portion of one, and found it really excellent. I have eaten worse outside.

In the chain-room are kept the manacles, most of them obsolete. Beyond the ordinary handcuffs only one kind of fetter is used, a leg-iron for refractory prisoners. It is fastened to both ankles, and to a strap round the waist, and is always worn, even in bed. Every morning a prisoner is told off to polish the contents of this room, which includes a large flogging tripod. The fact that every bit of metal in the room shines like burnished silver is sufficient testimony of this individual's industry. He is shut up by himself, but is under constant observation by means of a small peephole in the centre of the door.

They are constantly adding wings to the prison, extensive building operations being in progress upon the occasion of my visit. They are making no more iron cells, the new ones being of stone. The former are preferred by some prisoners as they are warmer ; the latter are selected by those who have led an active life, on account of their being larger. A prisoner may choose his cell. As regards light, in the old cells there are candles, in the new a gas bracket is introduced into a niche in the wall on the outside, and the light shines into the cell through a thick plate-glass window. A shelf is fitted up beneath this, and a seat fixed

to the ground, so that the occupant may sit and read or write by the light. All the cell fittings are immovable, firm as a rock. There are several ways of communicating with a warder. In the newest cells, the prisoner presses a button, which simultaneously rings an electric bell and causes a metal tablet on which is a number to fall out on the exterior, thus indicating to the warder where his presence is needed. Another way is the pushing out from the top of the cell, what is called a "flag," a long strip of wood broad at the end, and painted red. The most antiquated method is the passing underneath the door of a "broom," which is not a broom as we understand it. It is a kind of small mop-head, made of cocoanut fibre, and has no handle of any sort.

There are special cells for old men, and these are fitted with an iron gate as well as a door. In the bad weather they are put to some light labour in the cells, the doors being left open, and the gates only closed. There are also special cells for those subject to fits. These are padded half-way up with cocoanut matting, floors and doors included.

The refractory cells are fitted with three iron doors, one in front of the other. When all these are closed, the occupant may shout his loudest without disturbing any of his neighbours.

## CHAPTER XIII

### DARTMOOR—THE FARM AND QUARRIES

EVERY prisoner is required to keep his cell clean and in good order, and the cells that I saw were certainly a credit to their occupants. A bath is indulged in once a week, except in winter, when the medical officer decides. On Saturday afternoon there is no labour, but a general clearing up for the Sabbath. Chins are shaved and hair cut, the prisoners bartering one another. There is also a system of weekly disinfecting, a specially appointed party making a complete round of the prison.

There is a large and commodious infirmary, and a mortuary. The average of invalids is under forty a year. A little while back they had an epidemic of influenza, when the number was increased a hundredfold; but this lasted but a short time. In the infirmary the prisoners are still isolated, except in the case of dangerous illness, when they are placed in a large association ward. Certain prisoners are told off to act as orderlies, for cleaning and assisting the nurses, who are male officers. The infirmary looks out upon a very pleasant scene—an extensive sweep of rich, emerald turf, with a picturesque grotto in the centre.

The visitors' room is a small structure, near the entrance, which is provided to afford prisoners

an opportunity of seeing their friends at stated intervals. The prisoner enters a small apartment with a barred window ; facing this is another apartment, also barred, to accommodate the visitor ; between the two is a short corridor, in which a warder stands. The prisoner's apartment is fitted with a wooden shutter, and if the conversation becomes of an injudicious character the warder may promptly close up this shutter, and so end it. The officer may, however, first administer a warning, and after the shutter is closed he may use his discretion, upon a promise of amendment, in allowing the interview to be reopened.

There are two chapels, Catholic and Protestant. The former has the finest altar in Devon. It is made of granite, and was carved, polished, and painted by a prisoner. The workmanship is of the very best class, and it stands out in distinguished relief against the other and simpler decorations of the edifice. On the ground floor are ranged a number of wooden forms, washed to whiteness, which are for the accommodation of the congregation. At intervals along each side wall are raised seats for the warders, who are armed only with staves, and a pew for a principal warder. The gallery is divided into two, the right half, looking towards the altar, being occupied by the choir, which consists entirely of prisoners ; the left half is devoted to the officers' wives and families. There is no other Catholic church in Dartmoor, so that all those among the officers' families of that faith must come to the prison for worship. It has a holding capacity of 300.

As we entered the building the warder drew my attention to a prisoner who was busy cleaning and dusting near the entrance, and informed me that he was an excellent singer ; he was in fact a professional singer before he came to Dartmoor. This was his second term.

The Protestant chapel is much larger than the Catholic, having accommodation for between 700 and 800 worshippers. There are also pews for four principal warders, two each side, and raised seats for twenty-two ordinary warders. The arrangement of seats is the same, except that the choir, which also consists entirely of prisoners, occupies a position in front of the altar, instead of being in the gallery, which is given up entirely to the officers' wives and families. There is a granite font for baptism, prior to confirmation, for many who enter these portals have been sadly neglected in the early ecclesiastical ceremonies. The walls all round are simply covered with illuminated biblical texts, and above the altar, which is less ornate than its neighbour, is stretched from wall to wall a broad band of white material, on which is inscribed in large letters "Thou art gone up on high." As I have already indicated, service is held every morning from seven to seven-fifteen ; and twice on Sundays, from ten-thirty to twelve, and three to four.

It is pleasant to enter either of these chapels ; it is a welcome colour relief from the all-pervading dull monotony of stone and granite without. It is also restful. You are glad to doff headgear and sit in silence for a few minutes. Have you

ever been weary of London streets and turmoil and strolled for respite into St Paul's Cathedral? You seemed to have moved into another world—you are in busy London, but not of it. It was so with this Dartmoor chapel. I sat silent and reflective. Outside the unceasing toil of crime expiation, and inside the air of sanctity which gives solace to the soul. Chirp, chirp! chirped a small bird at an open window, and chip, chip! came from the distant stone-hewers. Strange similarity, yet incongruity of sounds! I thought of the many bruised and battered spirits which have sat upon these whitened forms, while their thoughts, bridging time and space, have winged their way to scenes of a regretted past. I thought, too, of the great responsibility which rests upon the shoulders of a prison chaplain, how much good it lay in his power to work by earnestness and impressiveness.

Here, in these Dartmoor chapels, divine worship is not a mere social function, a reunion of scandal-mongering neighbours, for the exploitation of fashionable garb; there is no purple bag passed round to support the dignity of ecclesiastical pomp. It is rather the worship of the Middle Ages, with the creed of Christ being instilled into the minds of a benighted people.

I now propose to pass out of the prison and on to the moor, visiting the quarries and the farm. First, though, a peep at the two graveyards, where the French and American prisoners of war lie buried. A granite cairn has been erected in each, on which appears the following inscription, varied only in the case of the word referring to



"IN MEMORY OF THE FRENCH PRISONERS OF WAR."  
(Dartmoor)



the nationality :—"In memory of the French Prisoners of War who died in Dartmoor Prison, between the years 1809 and 1814, and lie buried here. *Dulce et decorum est pro patria Mori.*" Both occupy very picturesque spots.

The quarries consist of a very deep cutting at one of the highest parts of the moor, and distant but a few minutes' walk from the prison. It is very securely protected by the civil guard, who, with fixed bayonets, patrol the loftiest eminences. There are also warders watching over the different gangs below. A fierce wind was blowing upon the occasion of my visit, and at the summit it was with difficulty that one kept one's foothold. To carry on a conversation it became necessary to seek the lee side of the watch-tower. I think, without committing oneself to an exaggeration, the quarries may be described as a savage scene. The labour is very heavy, and none but those who are physically "fit" could possibly endure it. There is a blacksmith's shop below, and, refreshing oasis of green in a wilderness of stone, a fishpond! It was formed by the prisoners and contains some very good piscatorial specimens. This kind of recreation—comparatively speaking, it is recreation—is allowed to privileged prisoners, who have behaved decorously, and deserve well of their gaolers. One would imagine that the merits of good conduct would be coveted by all, particularly when the bitterness of insubordination is so keen.

There was a doctor's gang in the quarries, men who had been ordered sedentary occupation. They were all seated, chipping stones, and all

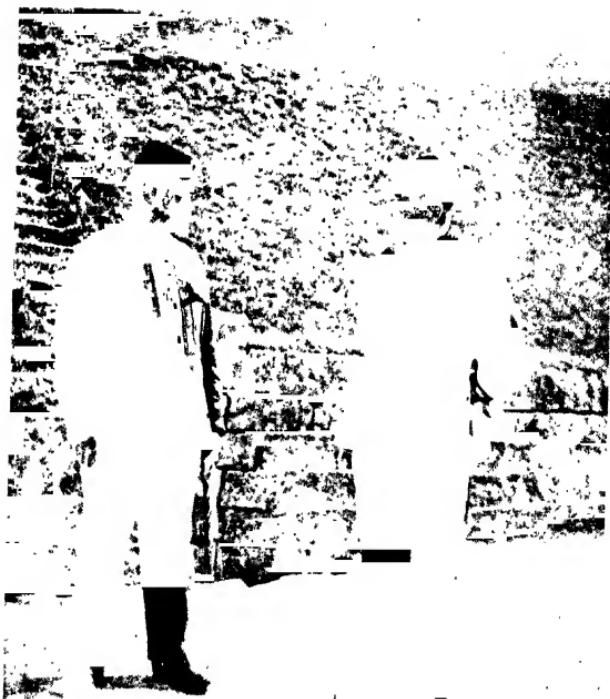
wore wire eye-guards to protect their eyes from the flying pieces of stone.

It is quite interesting to witness the quarry gangs marching back to the prison, attended with warders and guards. They march in close formation, so close in fact that it is very difficult if not impossible, to count them at any distance, off. The warders walk close up to the prisoners, but the guard follow some distance away, somewhat after the style of scouts. The reason for this is that should a prisoner succeed in slipping past a warder, which would not be a particularly difficult performance, he would find himself flanked by the guard; and it would be a very unlikely thing that he could succeed in evading these. In fact, speaking generally, the possibilities of escape from Dartmoor are very remote. It is true that several attempts have been made, with partial success, but only partial. On the other hand some have paid a heavy penalty for their daring. I was shown the spot where a prisoner was shot dead, while trying, with two others, to gain the open. Both the others were eventually captured.

The Prison Farm consists of 2000 acres, 1000 of which are reclaimed moorland. The process of preparing the ground for cultivation is very laborious, and not entirely satisfactory when accomplished. There are many drawbacks to contend with from the nature of the soil, the climate, and the growths which are indigenous to the district. Deep trenching, an elaborate system of drainage, and extensive manuring have to be indulged in. Every acre of ground



"A PRISON-BRED PONY IN A TRAP MADE BY A PRISONER"  
(Dartmoor.)





has to be treated with five tons of white lime, and of course stones in abundance have to be removed. Wheat can be grown, but will not ripen, but produces good straw; luxuriant grasses are raised but last only till they are choked out of existence by mosses and reeds. When this happens a further process of treatment becomes necessary.

All the work is carried out by the convicts, and I saw them busy at the various branches of labour, digging, sawing, weeding, manuring, milking, and feeding the live stock. From the farm bailiff I obtained the following figures concerning their live stock. They had an average of 80 horses and ponies, 150 sheep, and 130 cattle. They have also a very extensive piggery, but this was rather sparsely populated on account of a recent outbreak of swine fever, during which over 130 had to be slaughtered. They are very successful at pony and cart-horse breeding, and realise some good prices at the annual sale. In this respect I was able to secure a somewhat novel picture, in the shape of a prison-bred pony in a trap which was made by a prisoner, a coach-builder.

I have already mentioned that the farm-hands are privileged prisoners, inasmuch as they are in the last year of their term. One of these hands puzzled me considerably for a time, and set me on to a train of thought the end of which revealed an unpleasant truth. I had it from the bailiff, a communicative and genial Scot, that this prisoner, who was an accomplished farmer, and had rendered them the most invaluable assistance,

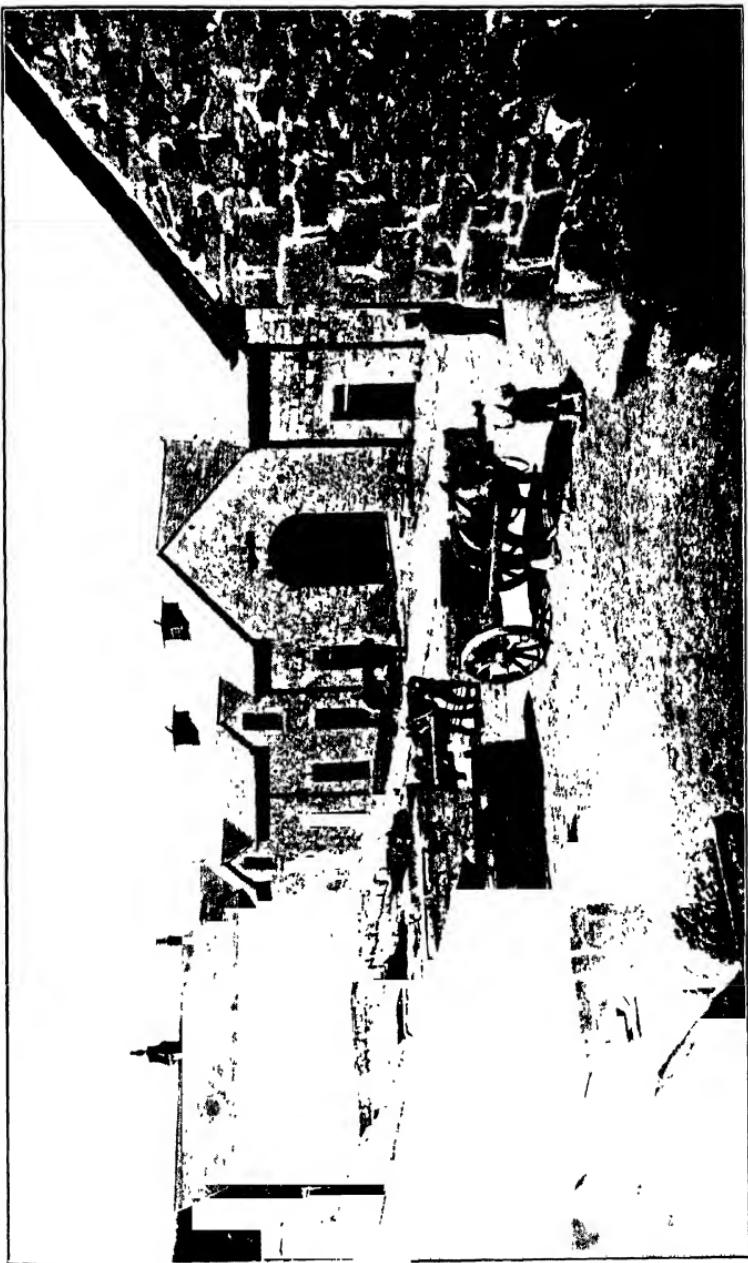
had served several terms. He had one of the most inviting and pleasing countenances I have ever seen in or out of prison ; his face was constantly wreathed in smiles, and that he was possessed of kindly instincts was clearly demonstrated by his treatment of three motherless lambs. The ewe had died while her offspring were at a very tender age, and this convict was acting the part of foster-parent to the young, feeding and tending them with the greatest solicitude. They were, in fact, known throughout the farm as So-and-so's pet lambs.

Later I saw this same man with a fellow-prisoner, sowing grass seed broadcast. It was not difficult to detect the professional from the amateur. He of the lambs was using both hands with wonderful speed and clockwork regularity ; the other was using one hand only.

This individual haunted my memory for quite a while until at length that perpetual smile gave me the key to an explanation—a weak mind. Evil associations did the rest.

At one time all the labour on the farm was done by hand, until this became impracticable from the scarcity of able-bodied men.

They have a very fine dairy at the farm ; in fact, all the farm buildings are commodious, and well appointed, and the farm generally skilfully managed by the bailiff. The latter invited me to sample the milk, fresh drawn from the cows, and ready to be used in the prison. I found it delicious—thick with cream. It had not been watered—they do not adulterate milk at Dartmoor. The bailiff was also good enough to take



"ALL THE FARM BUILDINGS ARE COMMODIOUS."  
(Dartmoor.)



me for a six or seven mile drive round the prison property, during which I was able to observe a good many points of interest in a short time. Every day the chief warden goes all round, and receives reports from the various officers, the warden stepping forward and giving the number of his gang, and the number *in* it, if he happens to be near enough. If not, he gives the signal, "All correct." I saw an aqueduct being built for drainage purposes ; quite an elaborate structure with many arches. I was also able to make a good inspection of the live stock.

It is well to help the fallen to rise, and not endeavour to keep them down. If the creed, "once a thief, always a thief," is to be credited and acted upon, then indeed it may become a bitter truth. It is not so at Dartmoor prison. Said the bailiff to me, "We help our old pals if we can," and in proof of it he gave me two instances. A man who had worked upon the farm was nearing the day for his release. He appealed to the authorities to assist him in obtaining honest employment, for he had learnt much useful knowledge during his incarceration. In the end the bailiff succeeded in securing him a berth not far from the prison, his employer, of course, possessing a full knowledge of his identity. About once a fortnight this man leads a horse past the prison—in honest employment. His master has said that he is quite satisfied with him, and would like more servants as capable and trustworthy.

The other instance furnished a brilliant demonstration of the truth of the proverb, "It is never

too late to mend," for the subject was aged, with a prison past. A plan of the prison grounds was drawn to scale on tracing linen by this man, and hung framed in the bailiff's office, a work of considerable skill. He is now in honest employment in London, and his employer is acquainted with his past.

There is a photographic studio in the prison, and all prisoners are photographed when they arrive, and when they leave; both front and side face. The photographer, who is a uniformed officer, told me he had very little trouble with his subjects, who realise that it is an inevitable ordeal. A special chair is provided, the seat of which is fitted with three ridges, one each side, and the third down the centre. This is necessary in order to get the subjects sitting absolutely square. Sometimes as many as twenty or thirty prints of one photograph are made to send about to different places.

There are many picturesque spots in sight of the prison, such, for instance, as Okery Bridge, under which the Blackbrook River runs. For so secluded a place Dartmoor has many visitors, who come principally for the excellent fishing which is to be obtained.

On the way to the prison you pass the church-yard on the left, with its quaint stone church, which was under repair upon the occasion of my visit. The weather was brilliant, and Dartmoor was looking its brightest and best. The sun shone fierce from a cloudless sky, the air was laden with sweet perfumes, and was musical with the hum of myriads of winged insects. The turf in the



"THE OFFICERS' CANTEEN."  
(Dartmoor.)



churchyard was long and luxuriant, and distributed about it were a few snow-white headstones. Not many—there was no crowding. Death settles all accounts, and here in this “God’s Acre” those who succumb in the adjacent prison are given decent burial. Many sleep the last long slumber in nameless graves, with not even a mound to mark their resting-place. Others there are whose friends, loving them in life in spite of their shortcomings, have been enabled to pay a last tribute to their memory in the form of an inscribed headstone. But even in death they are dominated by the cold, grey walls of the officers’ quarters.

Sometimes they get notice of fresh arrivals from local prisons as far as a fortnight in advance; at others they may have only a day or two’s warning. Those in the last three months of their sentences are accompanied by an unarmed warder, for it is safe to assume that such men would not attempt to escape when they have so much to lose.

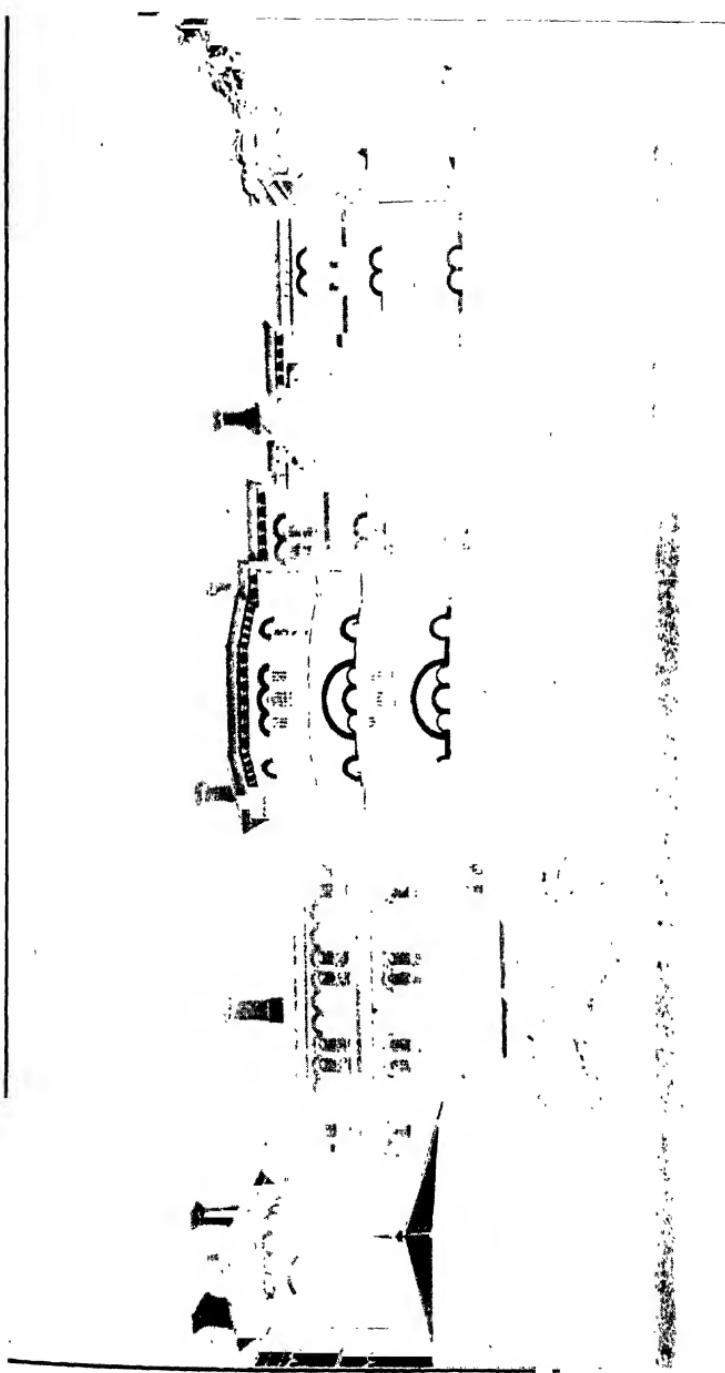
One peculiarity about the prison is the presence of large numbers of birds, particularly crows, which circle about and perch upon the walls, emitting their hoarse croakings the while, like vultures upon the Towers of Silence in India. My guide informed me that about a score years ago there was not a single bird to be seen near the prison, but that one day an officer brought a few sparrows into it, and these enticed others, and so they continued to increase until they had attained considerable numbers.

The officers have a very spacious recreation-

room, which is fitted with a stage and a stock of scenery. The latter was painted by a prisoner, and does that individual credit. The officers and their wives give dramatic entertainments among themselves, and other entertainments are given by professional people. There is also a cricket club, and the deputy-governor was good enough to invite me to a game, and I was sorry I had not the time to accept. Of the officers' canteen I can speak highly—I had two glasses of very good ale there.

On either side of the entrance to the prison are situated the quarters of the governor and the deputy-governor.

This life of penal servitude bears very heavily on the lives of some of the inmates, so much so, in fact, that occasionally their minds give way. If this should be the lot of the wrongdoer he will be transferred to the criminal lunatic asylum, Broadmoor, which in the succeeding chapter I shall endeavour to describe.



BROADMOOR.



## CHAPTER XIV

### AT BROADMOOR—"NOT ABLE TO PLEAD"

As a pregnant commentary on the rigours of penal servitude, Broadmoor Asylum constitutes an impressive object lesson. The building, which is an extensive red-brick edifice, is fashioned in the form of a squat letter H, standing on a lofty eminence, embosomed in beautiful surroundings. It is situated at Crowthorne, in Berkshire, and is "far from the madding crowd" of London. You might very well pass it without being aware of the true character of the establishment, supposing you had not previously been enlightened concerning it, for it bears very slight resemblance to a prison. The only feature which suggests a penal establishment are the large, nail-studded entrance gates.

The grounds in the rear are arranged in terraces, leading down by stages to the cricket field, which consists of a wide stretch of bright green turf, level as a billiard table, and flanked by the high outer wall. Standing immediately outside the lordly building, on the top terrace, one obtains a perfectly free and uninterrupted view of the surrounding country, the outer wall being hidden below the terraces. It was specially so designed, so that there might be as little sense of confinement as possible apparent to the inmates.

The building has accommodation for 486 male

patients and 185 female. It is important to note that they have nearly always their full complement of patients, and wings are constantly being added to accommodate fresh inmates. In regarding this as evidence of the increase of criminal lunatics, one should also bear in mind the ever-increasing population.

The superintendent of the asylum is Mr R. Brayn, who has a most difficult task to accomplish. To say that it is "trying" is but to state an obvious fact. For instance, one individual, who has been in the asylum many years, lives with the ever-present conviction that he is the victim of a combined attack of the Almighty and his Satanic Majesty, God pulling his head, and the devil his heels, his poor body suffering much in consequence. I saw him in one of the wards. He was a big, stalwart, broad-shouldered man, his mental sufferings being clearly depicted on his face, which wore a look of the most abysmal dejection.

I was invited to address him, and he spoke in a whining, fretful, tearful tone, which, in conjunction with his massive physique, was most striking, and gave one an eerie sensation. As a matter of fact, the only real ailment with which he was troubled was a varicose vein, which the assistant medical officer examined as I stood there.

The crime of which he was convicted was that of matricide, he having cut his mother's head off.

As I turned away from this unpleasant sight, I was met with another of an equally chilling nature. My eyes fell upon a small bed close at

"AN EXTENSIVE RED-BRICK EDIFICE."  
(Broadmoor.)





hand, which, so far as I could make out, was empty. Not so, however, for, as I looked, the garments moved slowly, and gradually there emerged into view the wizened, yellow, mummy-like face of an old man. His hands he passed aimlessly over the coverlet, with infantile helplessness, his fingers being mere bones, skin-covered phalanges.

His expressionless eyes were turned towards me, and, although he was gazing straight at me, there did not appear to be any intelligence or cognisance of my presence displayed in his dull orbs. The sight was uncanny. He, although an old man, did not seem any larger than a small child. I learned that he was gradually wasting away, mentally and physically, and was even then a mere human automaton.

Although discipline prevails at Broadmoor, there are no hard and fast rules to be observed, as in the case of an ordinary prison. The inmates are patients, not prisoners, and the establishment is conducted as far as possible on the usual lines of a county asylum. The patients rise at six, breakfast about eight, dine at twelve-thirty, take tea at five, and retire to bed at eight. These, although they are not "quality" hours, are at least healthy ones. They play cricket, billiards, chess, cards, quoits and dominoes ; they may read, smoke, and have an allowance of beer at their dinners.

They are employed in the gardens, and one man I saw had raised a splendid crop of tomatoes. He was a peculiar man, this tomato-grower, very dark, with the swarthy complexion of the East, and took great pride in his plants. He was a

man of ungovernable temper, and for the merest trifle would burst forth into a perfect fury. That the work of guarding and attending to the inmates is attended with considerable risk is demonstrated by the fact that a predecessor of Mr Brayn's was one day attacked by an inmate, and incapacitated for the rest of his life.

They have a champion chess-player in the asylum, who can give a sane player a queen, and beat him easily. The inmates occasionally play chess matches with persons from the outside, and invariably are winners. They have a band of musicians among themselves, and a theatrical element is introduced into the asylum by the presence of an entertainment-room, which is fitted with a stage and scenery.

Here dramatic performances are given, also concerts and other entertainments, about once a fortnight. The Treasury allows the payment of two or three pounds for an entertainment of about two hours duration. Performances, too, are given by local histrions, and some members of the staff, who may have a touch of the footlight fever, will "strut their brief hour" for the amusement of the inmates. I am not sure that some of the least affected of the patients themselves do not also occasionally take part.

All round the room are hung framed water-colour drawings, the work of a dead and gone inmate. Concerning this individual there is a strange story to be told. He was an artist of the name of A., well known in the artistic circles of London. Some years ago he accompanied a tourist to the East, in his capacity of artist, it being



"THEY PLAY . . . QUOITS."  
(Broadmoor.)



thought that the experience would be of considerable value to him. Upon his return to London it was noticed that he was strange in his manner, rather more than eccentric. This was pointed out to his father by a friend, Mr B., but no particular notice was taken of the incident. Young A.'s manner became even more alarming, and one day, Mr B., desiring to speak with him, knocked at the door of the room in which the young artist was working.

The door was locked, and Mr B. called upon young A. to open the door. Thereupon a large knife was thrust under the door, and worked backwards and forwards in a menacing manner. Eventually A. unlocked the door, and emerged from the room in a highly excited state. In his hand he held a piece of paper, on which he had drawn a row of men lying prone, all with their throats cut. This he displayed to his visitor.

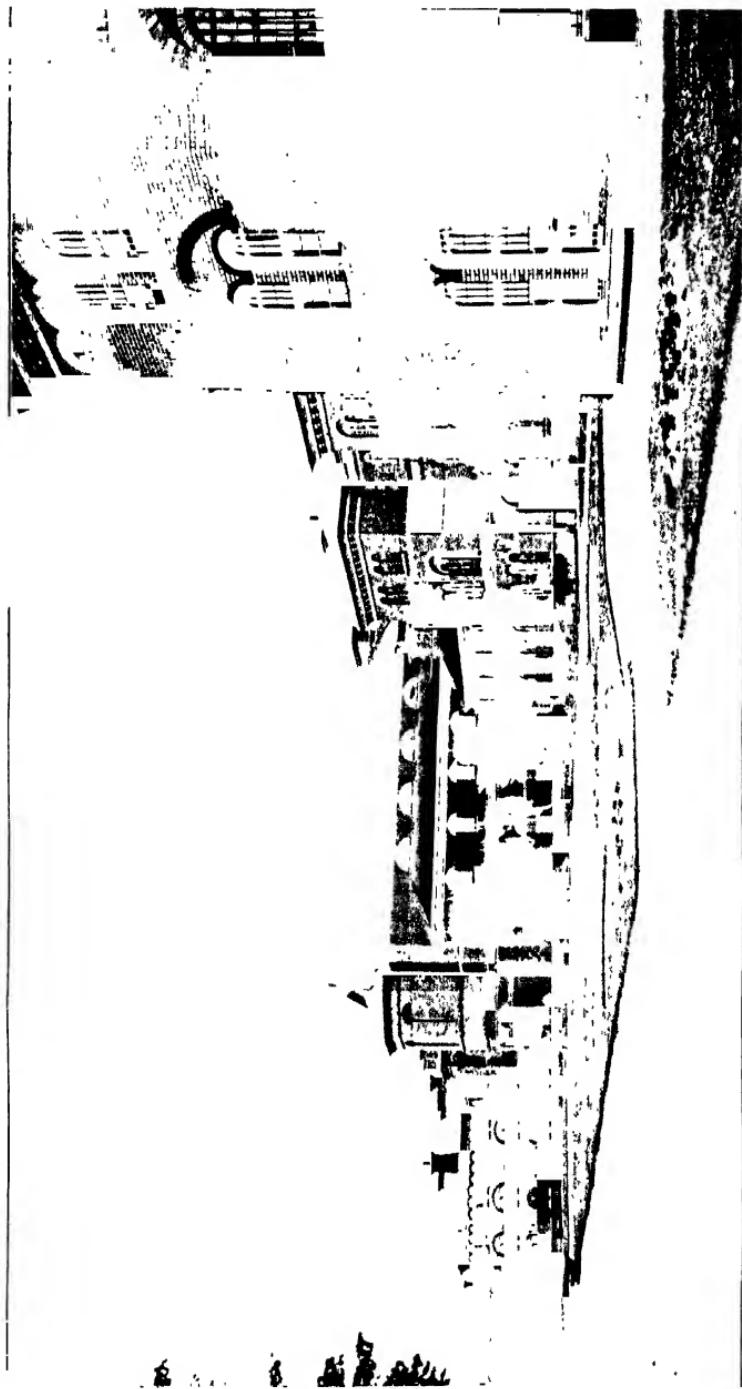
It was quite apparent that the young man's mind was deranged, and it was thought that he may have had a sunstroke while abroad. His father, however, clung to the belief that the disorder would pass off. He paid dearly for this belief. Thinking change of scene would be beneficial to the young artist, his father took him away with him into the provinces for a holiday. At a certain country town they put up at a hotel, ordering dinner for six o'clock. Father and son then went out for a stroll till the meal should be due.

Six o'clock came, but the two did not appear. Seven o'clock came, but still no sign of them. As hour succeeded hour and the visitors did not

return, the landlord became suspicious. With others, he instituted a search, scouring the surrounding neighbourhood. For some time they searched in vain, then suddenly the landlord espied what appeared to be the form of a man, lying in a ditch. Upon examining it, he discovered it to be the dead body of the elder of his missing visitors. The throat was badly cut, and a pocket-handkerchief was spread over, and concealed, the face. There was no trace of the younger man.

The hue and cry was raised, and every effort was made to discover the whereabouts of the homicidal artist, but for some time without success. Then a singular incident led to discovery. In the Alps a carriage was being driven over the passes. It was evening, and the light was failing. One of the passengers, being very tired, was dozing. Suddenly he felt a grip at his throat, and instinctively grappled with his assailant. A violent struggle ensued, which ended with the victory of the assailed one. The would-be assassin was secured and eventually identified as the missing artist.

He was brought to England, but was never placed on trial, going straight to Broadmoor. He was a hopeless homicidal lunatic, and a parricide. As I have already stated, he died at Broadmoor, leaving, as a legacy to that establishment, the many skilful though grotesque drawings which still adorn the walls of the entertainment-room. The late Sir Henry Irving was acquainted with the family, and in his performance of Eugene Aram he is supposed to have got his idea of the



"VERY SLIGHT RESEMBLANCE TO A PRISON."  
(Broadmoor.)



bit of stage “business,” where he returns to the body of the man he has murdered, and places a handkerchief over the face, from the true story I have related.

There are a good many aged inmates at the asylum, which is explained by the healthy condition of the place, and its surroundings, which keeps patients long in residence. It is generally supposed that once in Broadmoor nothing but death can bring release. Such is not the case, for patients considered sufficiently recovered are handed over to the care of friends or relatives. The latter must, however, give a guarantee to watch carefully over their charge, and report if anything suspicious occurs. It not infrequently happens that patients are discharged, only to return again to the asylum, a relapse having supervened. A case happened not long ago.

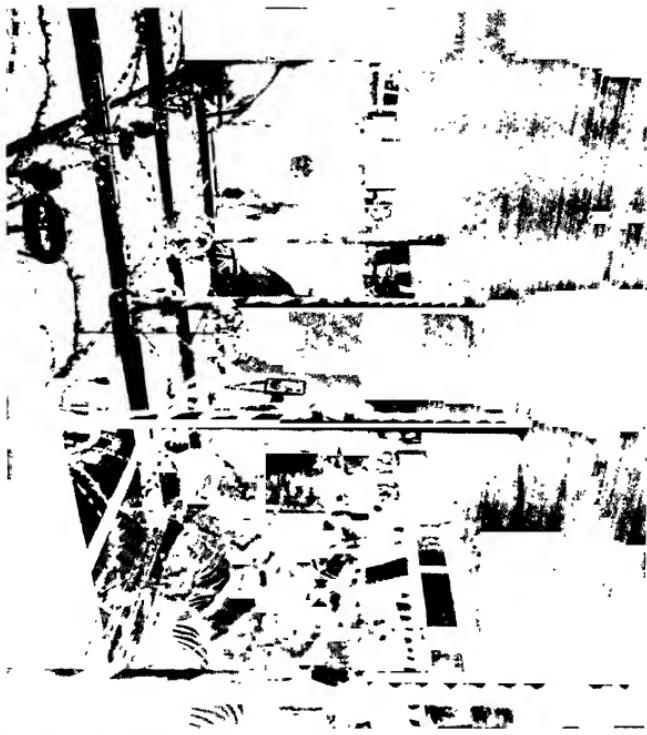
A female inmate, who was considered to be cured, was handed over to the care of her husband, who was a housekeeper in the city. He lived with his wife on the premises, but not long after the release she attempted his life, and was at once returned to Broadmoor, where she will probably remain till death brings release. Inmates may appear sane enough at Broadmoor, where they have no worries, but directly they are subjected to the stress of the outside world their minds give way.

So far as is possible the inmates are classified, and the worst cases kept entirely apart. The latter are known as the “convict class”—that is to say, they are ordinary convicts who have become insane during their incarceration in a convict prison. They are the only inmates who

wear a distinctive dress. If they are considered cured, and the term of their sentence is still unexpired, they are sent back to prison. It then sometimes happens that they succumb a second time, when they are again drafted to Broadmoor. If they are still insane at the expiration of their sentence they are transferred to an ordinary county asylum.

It so happened upon the occasion of my visit that I was enabled to obtain a view from the window of one of the dormitories of the enclosed exercise yard, wherein many of these wretched creatures were herded. The sight was a most impressive one. One man was playing an accordion, and playing it remarkable well, while another was indulging in a wild and grotesque dance, the most prominent movement of which appeared to be the knocking together of his knees. A third was walking rapidly round in a circle, with head set forward, hands thrust deep in his pockets, and great determination in his movements. He deviated neither to right nor left, but kept to the same circumscribed route.

The most painful sight of all, however, was that of a man afflicted with melancholia. He was sitting on a bench, wearing the most dejected mien I ever saw on a human face ; in a dreamy, far-away manner, he was picking up imaginary articles from his seat. These inmates are all dangerous, and the officer in charge was stationed close to the exit door. They are constantly and closely watched, and at the first sign of anything wrong, such, for instance, as the refusal to partake of food, they are at once removed and isolated.



"HERE DRAMATIC PERFORMANCES ARE GIVEN."  
(Broadmoor.)



ENTRANCE TO BROADMOOR.



The inmates who work are allowed one-eighth of the gross estimated value of their labour. They do not, however, handle the money, which is placed to their credit, and they are enabled to make purchases with it through the medium of the steward. There is periodically what is known as a "requisition day," when slips of paper, a kind of order form, detailing the articles needed by the patients, are handed to the steward, who makes the purchases in the village. The papers must, however, bear the signature either of the medical officer or of the superintendent. Otherwise they might obtain articles injurious to them, which is no reflection on the steward, whose knowledge in the matter is not supposed to be equal to that of the officers above mentioned. Some of the more well-to-do patients—and there are a few at Broadmoor with four or five figures to their incomes—have accounts with large London firms.

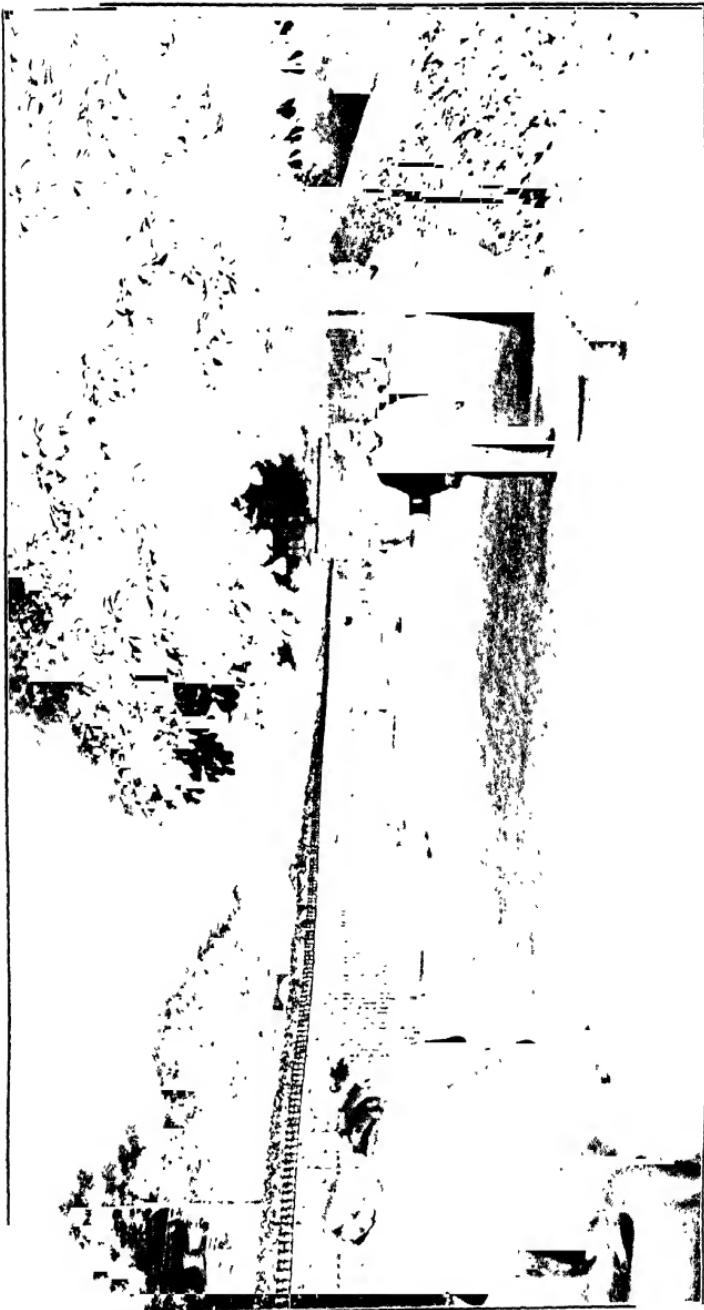
I doubt if there is a more pathetic sight than the mental degeneration of a human being. While passing from one terrace to another (the patients promenade up and down the terraces) I was made poignantly conscious of this. An old, white-haired grey-bearded man came running up to me, and with childish glee exclaimed, "Just look, I've drawn your portrait!" In his extended hand he held a small piece of slate, which he had picked up from the ground, and on the surface of which he had either pencilled or scratched what he was pleased to call a portrait of me. It was not at all flattering; in fact, it bore a strong resemblance to a leg of mutton, being mostly composed of nose! As we were not enthusiastic about it he became

confused, and receded a little, like a young child who has made a too precipitate advance, and half repents it.

On the next terrace another incident happened, which was full of interest. A tall, military-looking man, holding in his hand a notebook and several slips of paper, advanced and begged an audience of the superintendent. The latter excused himself for the time being on the plea that he had visitors to attend to. The patient persevered, and pressing one of the slips of paper, on which were written a name and address, into the hand of Mr Brayn, mumbled something about a man having got him into the place, and added something about medals. As he still persisted, in opposition to Mr Brayn's expressed wishes, a young patient stepped forward, and with great care and gentleness drew away the importunate one.

Subsequently Mr Brayn explained to me that the old fellow was an ex-soldier, and when he entered the asylum he had with him several medals. As one or two of these were stolen from him by his fellow-patients, they deemed it advisable to take charge of the others. Hence his repeated applications for their restoration. The reference to an individual as answerable for his incarceration was a delusion.

While in one of the billiard-rooms, Mr Brayn related to me a couple of anecdotes well worth repeating. On one occasion a patient invited the superintendent to a game of billiards ; the latter is an indifferent player of the game from want of practice, but in order to humour the patient, who was a good player, consented to "give him a



"THE PATIENTS PROMENADE UP AND DOWN THE TERRACES."  
(Broadmoor)



game." They played, and Mr Brayn lost easily, observing to his opponent, "There you are, I knew you would beat me!" Thereupon, another patient stepped forward and said to the loser, in the way of consolation, "Ah, sir, to be expert at billiards is the sign of a misspent life." Not altogether a mad observation!

At another time a patient made a formal complaint to the superintendent that women, disguised in male attire, were allowed to come into the men's quarters. This he denounced as being very disgraceful. Mr Brayn in pursuance of his policy of humouring his charges, turned to another patient, equally as insane as the other, and asked, "Have you ever seen anything of the kind?" "No," replied the patient, "that's only a delusion of his!"

Reversing the courteous order of things, I have taken the males first, because on this occasion they are more interesting than the females. The principal occupations of the latter are sewing and washing. They make poor gardeners. Speaking generally, they lead quiet, uneventful lives. The various corridors in their part of the establishment are beautifully kept, and embellished with floral decorations. The same remarks apply to their rooms, which are small, but in many cases quite elegant.

At the sides of all rooms—there are, of course, no "cells" at Broadmoor—there are narrow windows—mere slits in the walls—which look direct on to the beds, work on hinges, and are locked. By this means the attendants, who pace the corridors all night, are able to keep a watchful

eye on the patients in bed. If anything suspicious is noticed the window is opened by the attendant, who addresses the inmate. If there is no reply, or the reply is unsatisfactory, the attendant calls another officer to his aid—no attendant is allowed to go alone into a room—and together they enter the apartment.

Suicides are rare. Those with such tendencies are specially watched. Not long since an inmate made an attempt in a curious manner. He—it was a male patient—secreted a length of canvas about his waist, climbed a tree, and hanged himself from a branch. Fortunately he did not obtain much of a drop, luckily, also, an attendant was able to just reach his feet, and held him up while another attendant climbed the tree and released him. Another patient did accomplish his own destruction by strangling himself with a sheet.

One thing struck me as being rather peculiar. Several of the patients, both male and female, displayed the same rooted antipathy to the camera, as did many of the sane convicts in the various penal prisons I visited, only the former shirked the ordeal in a more subtle manner. In the female day-room, for instance, a woman who sat sewing stopped her work upon catching sight of the camera, rose to her feet, and walked leisurely out of the room. Another in her own apartment closed the door upon us. On the male side, one man gradually quitted his work, and insinuated himself into the corridor without, where he walked up and down, smoking his pipe.

On the contrary, there were those, as in the case of the prisons, who were only too willing, not to



"IN THE LAUNDRY."



say anxious, to be photographed, one making a remark almost identical with that of a convict at Dartmoor—"How you like, front or side face!" It was with the utmost difficulty many were induced to keep still. In the laundry the women laughed continuously and immoderately at the camera.

The lives of some of the inmates are painful in the extreme. They exist in the shadow of an ever-present delusion, which haunts them even in their sleep at night. They have not the sense to comprehend it is a dream, but declare they have had no sleep. Surely a lethal chamber would be a merciful institution for such cases.

## CHAPTER XV

### PRISON-BREAKING

ALTHOUGH some prisoners are able to take a philosophical view of their situation, and to resign themselves to making the best of it, these are in but a small minority. It is, of course, the best thing to do under the circumstances, and to the prisoner so resigned, who is determined to give as little trouble as possible, the incarceration will be the less irksome. But the vast majority of prisoners are not mentally equipped to take this view of their position, and upon these the punishment weighs very heavily.

Freedom is a precious thing even to the smallest created thing, and there can be no doubt that with those prisoners who are unable to seek consolation in philosophical reflections the possibility of one day being able to win free of their environment is to them a source of solace. Having recovered from the stunning blow of a lengthy sentence as it tell from the lips of the judge, the first thing that comes to the aid of the distressed man is the thought of possible escape. This thought never subsequently leaves him, and his alertness thereby aroused continues from day to day. This mental exaltation assists him in detaching himself, so to speak, from the full contemplation of his anguish. If it were not for this many would succumb beneath the weight

of their woes. Always this thought is with them, buoying them up. It is, of course, well-nigh impossible that such aspirations can ever fully be realised. As day succeeds day, and the weeks merge into months, and the months lengthen to years, this relief will dwindle gradually, the load growing heavier as hope is deferred. Then, maddened with an overwhelming craving to be free, if only for an hour, they make one of those reckless dashes for the open which we see occasionally reported in the papers. Anyone who has stood on the heights of Dartmoor and gazed out over the miles of undulating moorland, or viewed from an altitude the impregnability of Borstal, can appreciate the utter futility of such enterprises. It is the very desperation of a desire to be free. Very few, indeed, are the cases where a prisoner has succeeded in thus securing and retaining his freedom, although innumerable attempts have been made, and are still being made, and will continue to be made while prisons exist.

The criminal who breaks prison does, however, accomplish one thing, he very effectually breaks the deadening monotony of his life which has been gradually pressing him into the earth like a vegetable. But he pays a heavy price for it—the deprivation of some small though valued privileges, loss of marks and consequent lengthening of the term of incarceration, a cell of silence, bread and water, and possibly a flogging. Yet there are prisoners who make these attempts again and again, so intolerable to them is the monotony and confinement. Happy the prisoner who, immediately after conviction, can doff his

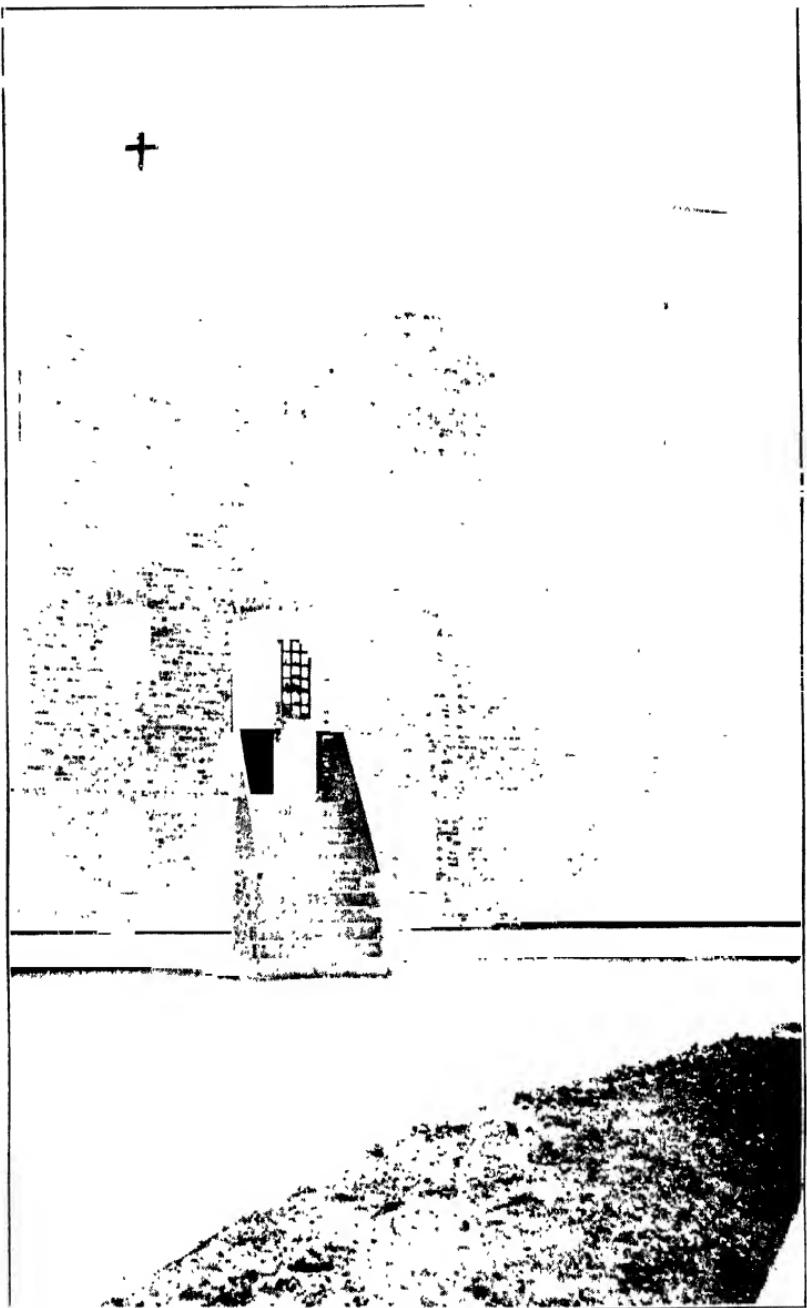
individuality and play the part of an automaton. If he can imagine that he has, by a process of transmigration, so to speak, become a metal wheel which revolves upon somebody pressing a button, he will escape a deal of pain. But how many are there who can do this? Very few. Most of them go into durance with a feeling of rebellion which they nurse into a grievance. I have seen it on the face of many a prisoner—a terrible sullen brooding. And the Government assists them to indulge in these unhealthy cogitations. The folly of confining a smarting, rebellious wrongdoer in a small cell for nearly twelve out of every twenty-four hours is positively incredible. Anybody who has ever stood inside a prison cell knows how admirably adapted it is to self-communion. In this crushing chamber he broods, and broods, and broods, until at length he becomes, in his own mind, not the wrongdoer, but the persecuted! His own enormity disappears before the growing conviction that society is behaving as a brute to him. He nurses this fancied wrong until he raises a vendetta in his mind, and determines that henceforth it shall be war to the knife between him and those who are trying to crush him. Immediately he obtains his freedom he will cause as much trouble as he can for society, between whom and himself there can be no peace henceforth.

This cellular confinement always has astonished me—its folly, its grimness. True, the prisoners are given books of a kind, but the true value of this privilege must be lost to a great many: They are also given a slate a-piece, like those used by

school-children, and a nice pencil to scribble with, or write "limericks" to amuse himself. Such infantile ways are beneath the scope of any sane system. At eight o'clock all lights go out, so that during the winter months nearly the whole of this cellular confinement is endured in total darkness! In this living tomb the prisoners are immured for an aggregate of years during a sentence of any length. What do you expect will emerge therefrom? Well, unless it is something in the shape of a new-born man, "clothed and in his right mind," tractable, honest and with lofty aspirations, the authorities are very cross. If, also, he should be caught breaking the laws again, in effect they will say to him, "After all I've done for you, and here you are at it again! Confound you, I'll make it hotter this time for you!" And they do. I have no hesitation in saying that any number of "habituals" have been so moulded.

Although the authorities urge their prisoners to nurse animosity and to break prison, they take pretty good care that the attempts shall not succeed. Hate, although eventually a consuming passion, is for the time being sustaining. This and the periodical attempts to escape (there are more made than get reported in the newspapers), keep some prisoners from becoming candidates for Broadmoor. As I write an attempt to escape from Wandsworth is being reported in the morning's papers. I recall an attempt at that establishment which had a tragic ending. The prisoner in question was occupying a top cell of one of the wings which looked on to the exercise

ground, which was flanked by the high boundary wall. Having determined to make a bold bid for freedom he set about it in a very systematic and skilful manner. By slow degrees he accumulated sufficient material from that upon which he was working to construct a kind of rope. He also contrived to construct an implement for his purpose out of a piece of tin. With the latter he removed the plaster and brickwork from one side of his cell window, making a hole through which he intended to make his escape. It was the dead of night, and silently he tried to insinuate his body through the small aperture. He discovered, however, that the hole was not large enough to admit of his passing through with his clothes on, so he stripped himself naked, made his clothes into a bundle, and let them down to the ground outside by means of his improvised rope. The latter he had secured to his cell window. His cell was situated a considerable distance from the ground, as I have said, at the top of the building. At length, he managed to squeeze through the hole in his nude state, and found himself a stage on his journey to freedom. He was clinging to the window on the outside of the cell, and there was no going back. Gradually he released his hold on the window and brought his whole weight upon the rope with a view to descending hand under hand. But, alas for the best-laid plans of men and mice ! The rope was not stout enough to bear his weight, and it snapped, precipitating him to the ground below. The next morning a warder, going his rounds of the prison, was surprised to see the naked body of a man lying at



SCENE OF ATTEMPTED ESCAPE FROM WANDSWORTH PRISON.  
White Cross, window of Cell; Black Cross, where body of Prisoner found. (*See also p. 320.*)



the foot of a building. Looking up he saw a length of material dangling from a cell window ; on the ground by the naked form was another length of a corresponding kind. He comprehended. The man was dead. He had struck upon a stone coping and broken his neck. He was free indeed !

When I viewed the cell from within the hole had been filled up, but of course I could see the size it had been, and the wonder to me was how he contrived to get even his naked body through so small an aperture. He must have been a very spare man. It was only fourteen inches wide at the widest part ! The prison dispenser had taken a photograph of the window from the inside before the hole had been filled up, and he was good enough to let me have a print of it, which is here reproduced. Also a photograph of the outside of the wing showing the cell at the top.

The ingenuity and patience which are exhibited by prison-breakers form a pregnant commentary on the nature of the feelings which their confinement engenders. That arch-criminal, Edwards—one of those bloodthirsty monsters which our penal laws seem to manufacture—in the early part of his career made an attempt to escape, which came within an ace of succeeding. I fancy at the time he was confined in Holloway. With infinite patience and subtlety he managed to construct a kind of rope ladder out of small bits of the material upon which he was working, just as the luckless Wandsworth prisoner had constructed his insecure rope. With the aid of this, Edwards managed to get out of his cell and on to an adjoining roof. His absence, however, was discovered before

he had had time to get clear away, so he hid in a kind of gutter, would not surrender, and frustrated all attempts to secure him. It was cold weather, and for hours he lay there, until at length the combined forces of hunger and cold compelled him to capitulate.

The fogs of Dartmoor offer irresistible inducements to prisoners to attempt to escape. Suddenly, without any sort of warning, they sweep down and envelop the moor in an impenetrable veil. Whenever this occurs, all the gangs who happen to be working outside are hastily mustered and marched back to prison. It is usually in the confusion that ensues in this summary gathering in of the prisoners that the attempt is made. A precipitate dash into the rolling fog-bank, shouts, a shot or two, and the thing is done. So far so good, but the prisoner's troubles have only just begun. Having escaped the bullets from the carbines of the civil guard he will have to face the perils of the moor, and these are manifold and lurking. Some parts of the moor are mere quagmire, in which, from time to time, people have been swallowed up. With a thick fog on and night coming down, his chances will not look very "rosy." He will probably "lie low" for some time, and watch for a favourable opportunity to creep away. Unless he can change his prison clothes for others he will soon be retaken, and if he does not receive some assistance from the outside he will at length experience the pangs of hunger. He will also know that the whole countryside are looking for him, and that on his head there is a price. There is, therefore,

but one chance for him—namely, to “burgle” some place and so obtain clothes and food. But in spite of all these drawbacks he will enjoy his freedom for a while, until the overwhelming odds against him force him into surrendering.

Some time ago, a prisoner who escaped from Dartmoor was recaptured in a curious manner. He had succeeded in getting beyond the boundaries of the prison property, had secured a change of clothing, and was within an ace of getting clear away. He had to pass a police station, and as he approached it, he observed a police constable standing outside with a dog. Pulling himself together he put on indifference and managed to pass the policeman without raising his suspicions. Having got a few yards away, he suddenly heard the dog bark behind him and run towards him. Thinking that the policeman had “spotted” him, he took to his heels. This brought the policeman after him, and he was taken. The dog was merely barking at him as dogs will bark at passing people, and it was not until he ran away that the policeman’s suspicions were aroused.

One of the most successful escapes of recent times was that of two men from Borstal, who succeeded in getting clear away. One, however, was taken soon after, but the other was at liberty for weeks. A reward was offered for his apprehension, and this was too much for one of his own class, who “gave him away.” Major Arthur Griffiths, in one of his books of reminiscences, gives an account of how an escape was contrived by two men changing identities. It was after con-

viction, one man being sentenced to penal servitude and the other only to a few months' imprisonment. The exchange was arranged while the men were in the police van, of course for a monetary consideration, one man answering to the other's name. Thus the prisoner who should have gone into penal servitude was released after a few months, and the other continued for some time longer in prison. Then suddenly the latter confessed to the deception, and claimed to be released also, as his time had expired. The authorities investigated the matter, found the man's story was true, and, failing to discover any justification for detaining the man any longer, released him. The latter then sought out the man whom he had befriended, and eventually becoming very troublesome with his demands for money was "got out of the way" by being arrested and convicted on some trumped-up charge. So he went back to jail, while the other, who should then have been in penal servitude, cleared out to a place of safety. So far as is known he was never afterwards taken. This is one of the very few cases on record of an escape being wholly successful.

Sometimes there appears to be a kind of epidemic of attempts to escape at certain prisons, when the authorities rouse themselves and set to work to make all kinds of changes in the conduct of the establishments. They may change the governor, punish the subordinate officers, penalise the warders, and so on, thinking thereby to remedy the undesirable condition of things, all of which is lame and impotent. The attempts

to break prison will still go on, are at the present time in contemplation in divers prisons, and will continue to be made wherever men are kept in purposeless slavish subjection within the reach of freedom.

## CHAPTER XVI

### HOMICIDE—"MURDER WILL OUT"?

THE wrongdoer may never become a homicide, or he may become one quite early in his career. He may, on the contrary, spend a long life in various walks of crime ere he commit murder. He may commit many murders before he becomes a "subject" for the executioner, or, having committed one or more murders, may never be charged with that crime. It all depends on circumstances. There are, of course, also homicides who have never committed any other crime, and it is about these particular individuals that the present chapter is concerned—that is to say, with the crime of homicide itself in particular. In succeeding chapters I shall discuss the various other specific forms of crime in which the wrongdoer may embark.

"Murder will out." This is one of the most fallacious statements ever made by proverbial philosophy. In order to be anywhere near the truth it should be, "*Some* murders will out." This proverb is usually quoted very freely whenever a murder, the peculiar circumstances of which render it more than usually prominent, is brought home to the perpetrator. The latter up to a point may have exhibited much subtlety and cunning, and because in spite of this he has been brought to account unthinking people, or superficial thinking people,

will with awe repeat that shallow proverb, “Murder will out.” Even Shakespeare contributed his thought to the fallacy, “For murder, though it have no tongue, will speak with most miraculous organ”; and Chaucer, in *The Nonnes Prestes Tale*, wrote, “Mordre wol out, that see we day by day.”

I take the liberty of contradicting or correcting both these authorities, great as are their names in the world of thought and philosophy. Mundane life frequently flouts lofty philosophers, and never more so than in the case of murder. I make bold to say that for every murder that is brought to light, and the culprit punished thereby, there are scores of such crimes committed of which we hear nothing. Every year that passes sees thousands of persons disappear mysteriously from this land who are never seen or heard of again. What becomes of them? Granted a small proportion of them may designedly disappear for cogent reasons, taking up their quarters in other lands, having first obliterated their tracks. At the time the pleasure craft the *Princess Alice* was wrecked at the mouth of the Thames it was calculated that upwards of 700 persons were numbered with the dead—that is to say, they were “missing,” for it was quite impossible to individualise every victim in that jumble of death. It was a case of so many being considered to have lost their lives in the catastrophe. As a matter of fact there were quite a few who, for motives best known to themselves, elected to avail themselves of this opportunity of “burying their identities,” and being numbered with the “lost.” They disappeared, but I know that some whose names figured on the death roll were subsequently

seen and heard of. In a similar manner no doubt some of our annual disappearances may be accounted for. But what becomes of the others? If it were a fact that murder "will out" many of these disappearances would no longer be mysterious, and our law officers would be kept very busy in consequence of that "miraculous tongue."

The explanation of the matter is this, that the murders which are discovered are those committed by blunderers; the skilful homicide is never found out, and consequently we hear nothing of him, fatuous philosophy seeking to console us that he does not exist. But we doubtless rub shoulders with him every day, perchance shake hands with him, and doff our hats in deference to him. Such is the depth and complication of life. You may go right through the Newgate Calendar and pick out all the homicides, and you shall fail to find one who has not committed some egregious blunder or another which has been instrumental in handing him over to justice. Some of them indeed have exhibited an extraordinary capacity for manufacturing evidence against themselves and directing the eyes of justice to it. They have left clues in plenty behind them, without which the police are a painfully inept body. Let us take a few of these homicides by way of illustration. I shall select them haphazard, just as they occur to me, but the names are all inscribed prominently on the scroll of infamy as "big criminals." I venture to think when we have finished with them you will agree with me that their magnitude has been tremendously exaggerated.

Let us take the Wainwright case. There were

two in it, and they were brothers. The elder, who suffered capital punishment, was considered to be a man of some intelligence and education. He was a master brushmaker, subsequently, upon a downfall in business, becoming a workman only. In the neighbourhood in which he resided he bore a creditable reputation, in which charity and sanctity were not wholly absent. He used this reputation, as many an unscrupulous and sensuous brute has done before and since, as a screen for a nefarious deed. He was lawfully married, but this life was too prosaic for his passion, so he entangled himself in an intrigue with another woman. No “great” criminal ever dallies with women, nor is he “great” in a criminal sense who succumbs to his animal passions.

This kind of intrigue costs money, and while business prospered Wainwright was able to conceal the lie of his life. At last his business affairs went awry, money became scarce, and the erstwhile luxury became a burden. She must be got rid of somehow, the novelty of the situation had long since worn off, and the privilege was not worth the outlay. We are not concerned with the actual killing, as to who did it or how it was done. Suffice it to say that the victim was lured to her death, and the body buried at the back of the brushmaker’s shop in Whitechapel Road. At first her friends were pressing in their inquiries concerning her whereabouts, but the culprit contrived to silence their voices. A year passed, and it seemed that the truth might never be known till the crack of doom, that the woman’s mysterious “exit” might be numbered with the annual disappearances. So far we seem

to have struck something "great" in crime, but now for the enlightenment.

It seems scarcely credible that any man knowing the simple ABC of life should have used chloride of lime to destroy a body instead of quicklime. Yet such was the case with Wainwright. The lime preserved the body instead of destroying it. Blunder number one. It became necessary to remove the remains from Whitechapel to the Borough. He did them up in a couple of parcels, enlisted the services of another man to help him with them, and left this man in charge of the ghastly bundles while he went for a cab. The man investigated them and the truth was out. Blunder number two. Anybody but a born fool would have sent the man for the cab and himself kept guard over the damning evidence of the remains. But the one blunder was worthy of the author of the other. It is such murders as this that "will out."

Palmer the poisoner was super-subtle. The criminal is neither "great" nor even skilful who overdoes his duplicity. This man had already successfully given the "happy despatch" to several of his kindly kith and kin in the service of his pocket when he happened upon poor Cook. They were friends, and had mutual interests on the turf, and other financial transactions between them. Cook was owner of a racehorse which both he and Palmer were backing in a certain race for a large sum. Both men were considerably involved in debt, and the winning or losing of this particular steed meant a deal to them—it would either make or break them. Palmer had been doing a good deal of business from time to time with life insurance

companies, not always to the satisfaction of the latter. He was also in the hands of usurious money-lenders. Cook's life was insured, and his "friend" was concerned about the policy. To put it in racing phraseology, he had a "bit on" both Cook's horse and his life. The horse won—alas ! for its unfortunate owner. It were better for Cook had it lost. Palmer now went for a "scoop"—namely, for the money Cook had won on the race, the money on his life policy, and the dismissal of certain liabilities between them. Cook stayed at a hotel, his "friend" at a place immediately opposite. Cook was taken suddenly ill, and Palmer, who, by the way, was a medical man, attended him—only too assiduously. In fact, his devotion aroused suspicion, and when the unfortunate victim was *in extremis* and he was summoned, he was over in a few seconds, *fully dressed*, although it was the middle of the night and the patient was better when left by Palmer. True the latter had left certain pills for the patient to take. This was only too obvious. Palmer also went so far with his subtlety as to make audacious entries in his diary concerning his visits to Cook. It is a wonder he had not gone so far as to inscribe therein something of this kind, "Settled Cook properly. Not a word ! "

Peace, although one of the most remarkable criminals of his time, was a grave blunderer. Silent and single-handed in his "burgling," using all kinds of disguises and implements, he allowed a woman to obtain possession of his homicidal exploits. It is one of the last things a really skilful criminal will do, to trust a woman, for so many have been undone thereby. There is no doubt

that it was due to the fact of Peace working single-handed in his robbing expeditions that he enjoyed such a lengthy immunity from police molestation—that and his consummate audacity. But it is as a homicidal criminal that we have to consider him, and in that respect, as I have pointed out, he was a blunderer. Although he was arrested while carrying out a burglary he might have escaped discovery in the other branch of its nefarious work had he not blundered. His excuse for taking life was that he did it in “self-defence”—that is, while being interfered with during the process of annexing other people’s property. Whatever Peace may have been as a burglar he was a very poor logician.

The ruffians Milson and Fowler committed a very grave blunder. They planned to rob an old man who lived by himself at Muswell Hill, who was reputed to be “warm” and something of a miser. The house was protected by a spring gun, but this the burglars succeeded in detaching without causing any alarm. It was on the night of 13th February 1896, and having climbed over the gate the two men proceeded to the rear of the house and hid themselves in some laurel bushes. Here they remained secreted for an hour or two, when one of the men, looking towards the house, remarked, “We can get to work now.” Slowly and cautiously they emerged from their hiding-place and approached the building. One produced a small bull’s-eye lantern and the other a “jemmy.” Several windows and doors were tried, one of the latter at length giving way, the men disappearing within. A few minutes later a man’s cries of “Help!” and “Murder!” might have been heard, and then—

silence. A short while after the kitchen door opened, the two men stepped out, made for the bushes and were gone.

A few hours later a gardener arrived at the house to do some work. He noticed that the kitchen door was open and that the spring gun had been disconnected. He entered the house and was horrified to find his master lying prostrate on the kitchen floor with his head enveloped in an apron. A doctor and the police were summoned, the former at once pronouncing life extinct. A safe upstairs was found to have been rifled. In the scullery sink was a small bull's-eye lantern ; on the lawn a metal tobacco-box. These were the only clues. At a glance the police took in the situation. A burglary had been committed, and the unfortunate occupant had, in criminal phraseology, been "outed" in the process. Who were the culprits ? Those slender clues were soon to answer this question in a remarkable manner.

A few weeks later a small crowd of people stood outside "Madame D'Arc's Waxwork Show" in a street in Cardiff. Some were paying coppers for admission, among them two men who were apparently friends, and one of whom was big and muscular. After they had seen the show they got into conversation with a man connected with it. They talked phrenology and made an appointment to meet in a public-house later on. The result of this meeting was that all three men, together with the wife of the waxwork showman, set out on an entertainment tour. They visited Newport, Pontypool, Bristol, Liverpool, Swindon, Chippenham and Bath. The waxwork man, who

was also a phrenologist, was known as "Professor Sinclair," the other two calling themselves respectively "Scott" and "Taylor." At Swindon, however, they became "Stephens" and "Mellish."

At Bath the show did not go well. The local police noticed that the man at the door usually contrived to get behind the curtains whenever they appeared, which struck them as peculiar. The whole party, which by then included the wives and children of the other two, who had come down from London to join them, occupied one large room over a confectioner's shop in Monmouth Street, next to the St Paul's Mission House. The room was divided by a curtain in the centre, and there was a bed in each division.

On the night of 12th April some strange things happened in Monmouth Street. A number of men had secreted themselves in different doorways and were all watching the confectioner's shop. Presently the whole of the show party emerged from the house and walked away together down the street. Then the watchers became active. Messengers were despatched in all directions, and every means of egress from the town was impeded. Ten o'clock chimed out and the men in Monmouth Street continued their vigil. A few minutes later they were gratified at observing the whole show party returning to the confectioner's shop. A few moments later a light appeared in the room on the first floor. As ten-thirty was chiming all the watchers simultaneously made for the shop, where they were joined by a body of constables. The house was blockaded! Then the plain-

clothes men, led by a local inspector who was acquainted with the "geography" of the place, entered the building and quietly mounted the stairs. The local inspector paused outside the door of the room on the first floor, and whispered to the others, "Are you ready?" Receiving an affirmative reply, he rudely thrust open the door, and the detectives, headed by Inspectors Marshall and Nutkins, dashed into the room. "Hands up, all of you!" exclaimed one of the detectives, while two revolvers were pointed at two of the occupants. A desperate struggle ensued, blows were struck, and furniture smashed. At length, however, all were safely in custody, the big man handcuffed and leg-ironed.

Thus did the notorious ruffians, Fowler and Milson, find themselves at last in the grip of the law. The tracing of these miscreants was, undoubtedly, one of the finest bits of detective work ever accomplished. How were they traced? Simply through the medium of the two small articles, the tobacco-box and the lantern, found at Muswell Hill. The former was traced to one of the men, and in the lantern was a piece of "shirting" used for a wick, which was proved to have been taken from a piece that the wife of Milson was making into a shirt. The lantern belonged to their son, and it was he who had utilised the material for a wick.

I doubt if there is to be found in all the records of homicides a criminal who made so many blunders as did the man Lefroy, who murdered an old man in a train on the way to Brighton. He blundered from the beginning to the end of the

chapter. He left a perfect trail of evidence behind him. All along the line articles were found to connect him with the crime. The hue and cry being out he hid himself in lodgings at Smith Street, Stepney, giving the name of "Clarke," and stating that he was an engineer from Liverpool. During the whole time he was there—about a week—he scarcely went out of the house, which naturally drew suspicion upon him. He also had the stupidity to try and allay suspicion by sending this telegraphic message to an office in Gresham Street, where he was not known, "Please send my wages to-night without fail about eight o'clock. Flour to-morrow. Not 33." That same evening Inspector Swanson called at the house in Smith Street and took the new lodger into custody, and he subsequently received his wages—of sin.

One cannot resist the inference that this wretched criminal was not of sound mind, not even relatively so. He never at any time realised the serious nature of his position, and was possessed with a paltry, strutting, peacock vanity. He expressed a wish to be allowed to wear a dress suit in the dock ! Somebody presented him with a new silk hat, which he brought with him every day into the dock, and which seemed to cause him far more anxiety than the issue of his trial. If he caught sight of anybody in court sketching, he would pull himself up and deliberately "pose."

Devereaux, of the "trunk murder," made a very silly blunder. It will be remembered that his defence was that he had been out for a walk, and that upon his return he found his wife and

children dead, they having accidentally taken poison. The situation, said he, so alarmed him that he proceeded to pack the bodies in a trunk. It only requires a moment's reflection to perceive the absurdity of this statement. What would be the first natural thing an innocent man would do under the circumstances ? Why, he would immediately raise an alarm, and summon somebody. Moreover, supposing his story were true, it would be the *safest* plan. The one he said he adopted was fraught with peril for him, as any form of secrecy was bound to be in such a situation. I grant that all human motives are not sound, and that human beings sometimes commit acts of suicidal folly. But this man's story could not be accepted in conjunction with the hypothesis that he was in his sane senses, and "able to plead." The two could not be reconciled. Now, having committed the murder, had he then raised an alarm, summoned a doctor and the police, and told that story, that would have been skilful, and difficult of disbelief, for the deed would have backed up the supposition. As it was his admitted conduct contradicted his theory, which left but one alternative deduction—namely, that the prisoner in addition to being a murderer was also a liar, and so he blundered on to the gallows. I offer this suggestion to Mr Hutton, who assisted in defending him, and who expressed his regret to me in court that it was not a "good fighting case." If this man had raised an alarm instead of keeping the matter secret, it would have created so much doubt as to the truth that I do not see how they could have convicted him.

But one might continue to add to these illustrations almost indefinitely. I think I have produced sufficient evidence to prove my contention that it is only a small minority of murders that "will out."

## CHAPTER XVII

### “SINS OF THE FATHERS”

ONE of the worst features of crime is the suffering it visits upon the heads of the innocent as well as the guilty. But that is on the shoulders of the culprit, and the law cannot be held responsible for it. There is scarcely a crime of any degree committed that does not inflict pain on innocent persons in one way or another. It is a very depressing and discouraging thing to contemplate, but so it is. I have frequently seen the prisoner in the dock the least moved in the court, wherein his friends have been weeping. Whenever I witness a prisoner being sentenced to imprisonment or to death, my mind always conjures up the misery which is incidentally being meted out to those who have had no hand in the crime, and who will suffer in secret and in silence. Sometimes the extent of this undeserved wrong is made manifest, but more frequently one can only conjecture to what degree the unmerited suffering is being unavoidably inflicted.

By way of illustration, I propose to deal with a case, prominent in the annals of crime, which affords a very impressive example of the far-reaching consequences of one man's crime. I shall put the details of the case into narrative form, as that will be the most convenient and advantageous manner of dealing with it.

One day a few years ago a man and woman met upon the pier at Southend, and got into conversation. They were strangers to one another, the acquaintance being initiated by self-introduction. The woman was a resident of the place, but the man, a Londoner, was a visitor thereto. He was strolling aimlessly about, enjoying his leisure, when he met the woman. They were both married, she was the wife of a dairyman and he had a family of young children. He was employed at the docks, where he held a position of some importance, and considerable confidence was reposed in him. His reputation was without a blemish. He had been many years in his berth, was implicitly trusted by his employers, and much respected by his fellow-workers. His home life also was without reproach, he being a devoted husband and father. So much was beyond question. He was a hard worker and contrived, in the little leisure time that was left to him after he had discharged his duties at the docks, to engage in other forms of industry in order to augment his income. Feeling a bit "hipped" and "run-down" he obtained leave of absence and went down to Southend for rest and recuperation. Then that meeting occurred, and marked a distinct era in his life—a thin line which sharply divided two careers diametrically opposed in character. It was one of the most fateful meetings which ever took place between two individuals in this world.

What precisely occurred at that interview cannot be said with any degree of confidence, but it is on record that thence ensued a some-

what lengthy period of illicit intercourse. The intrigue culminated in widespread disaster, cost four lives, and drew into its baleful meshes the lives of many others. Secrecy was successfully maintained, and eventually the intercourse between the first two ran its course and dwindled away, the couple drifting asunder, although not wholly to be alienated. The woman had come into the man's life, but had now gone out of it again, although leaving behind her, as it were, a kindred acquaintance. The man became acquainted with her sister, a young girl still intact and unblemished. With what wiles he pressed his ardour upon her we cannot say, but suffice it for the evil of the thing to say that he succeeded in accomplishing her downfall. She fell completely, for she, a spinster, became with child. What of the father? His desire gratified he had left her to bear her burden without aid or sympathy. He had gone thither in further pursuit of his infamous campaign.

The man's illicit passion had fixed upon yet another woman, and she also a maiden. It was another light - o' - love meeting. They were strangers to each other, and were self-introduced. The man schooled himself to win the woman, which he did, body and soul. He cosened and cossetted her and exacted of her the tribute of her love, which was pure and powerful. She did not know that she dwelt in a fool's paradise. How should she? The man had securely lied to her, in fact his whole life was now one monstrous fabrication. His skill at dissembling had reached a superlative degree. At his home at

Stepney he was still the fond father and solicitous husband—that repute had suffered no damage or diminution ; he was as heretofore a conscientious, honest, upright and trustworthy servant in the eyes of his employers, and in those of his fellow-workers. Yet was the man shamelessly embroiled in several places simultaneously in heartless intrigue. Passing as a single man he had engaged his latest victim in a bogus marriage ceremony, conferring upon her a fictitious name and installing her in a false position. To her he was a commercial traveller, which calling sufficed to reconcile her to his frequent long absences from her bosom. At Stepney he feigned failing health, in order that he might be enabled to spend his week-ends elsewhere without arousing suspicion—“ for the benefit of his health.” Poor health !

This was the situation. In one place a cajoled and wronged wife and mother ; in another a young spinster fast quickening with his child ; in a third another spinster, unsuspecting under the delusion she is lawfully married, in a similar condition ; and at Southend the husband of the woman of the first meeting quite oblivious of the existence of this man. That was the situation, than which it were difficult to conceive one of more infamous complication. Yet were there still further complications soon to ensue. The deluded spinster, his latest and most cherished victim, gave birth to a child. The “commercial traveller” and his “wife” had taken up their domestic quarters at Mitcham in a house kept by a clergyman and his wife, strictly living people, simple and kind. The house was called “ Rose Cottage.” It was very pretty, and

looked out upon the common. It was quiet, secluded, restful, smacking of all the humdrum virtues. It was thought an appropriate domicile for this young couple, so mutually devoted. And now their happiness was increased by that little life. It was quite an event, this birth, and the mother hung with loving tenderness over this pretty branch of their united lives. O the absymal deception, and the terrible awakening soon to come !

That other spinster was fast approaching her period of travail, but with this difference—she was deserted, alone, left to battle as best she might with her pains of mind and body. She had much ado to conceal her disgrace, and her situation was becoming unbearable. But she was not without some spirit, she did not intend to suffer silently and meekly, and so she informed the author of her condition in no uncertain terms. He, however, having had his will of her, was not disposed to stand by the consequence of his deed. He had other persons to attend to. She, nothing daunted, persisted, making definite demands for money. Already his purse was taxed to its utmost and he could not find the money, even were he so disposed. Time passed and the fatal hour steadily and surely approached, the great abyss yawned in the distance upon the brink of which this man was soon to stand, and up from which the grim hand of Destiny was to be thrust to drag him down into its sable depths.

The woman daily became more importunate as her anxiety grew apace, and at length the man turned in his wrath and faced the dilemma. Released from this entanglement he must be, the worry

was making inroads upon his Mitcham composure. How to act ? How could the woman be *removed* ? She had threatened to expose him if he did not accede to her requests, to, in fact, proclaim abroad the paternity of her embryo child. Such, thought he, would bring his edifice of infamy hurtling about his ears, and expose him naked to his enemies. She must never speak those words ! The grave alone seemed to offer adequate assurance and security. The resolve was made, the top-stone should be applied to the edifice—the headstone of his own tomb. How to do it ? What were the chances, pro and con ? He must see the woman, and “pump” her. He asked her how she accounted for her condition to her friends, and she told him she attributed it to a soldier from the barracks near which they then lived. It was not true, but he believed it. His way seemed clear. The mysterious death of the girl would be credited to that vague soldier, and the truth lie still-born in the womb of time. Yes, let it be done, and quickly. The girl must die, and take the other life with her !

The man made an appointment with the girl, the meeting to be at Southend. The meeting must be known only to their two selves, and one would never speak again. In order to prevent the possibility of identification he made the appointment by telegram, which he wrote in a carefully disguised hand, enclosed in an envelope, and dropped into a letter-box, having previously affixed the necessary stamps. Thus the message was forwarded by the postal authorities without his having to be seen handing it in.

That week-end the “commercial traveller” was

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<i>by 100</i>		Place	London
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NOTICE.—This Telegram will be accepted for transmission without delay or charge, under the provisions of the Telegraph Act, 1865, and to the extent permitted by the regulations of the Postmaster General.			
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Every additional word, 1/- D.	<i>chief post office, St. James's can you meet Saturday morn nine nights fully</i>		
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absent from Mitcham, away "on business" thought his devoted "wife." She could spare him a little, she was so devoted to their offspring. The man made his way to Southend, taking with him a fully loaded revolver as a "love offering." The sands were running out and the toll of lives was soon to begin. The all too-trusting girl, even already feeling somewhat relieved of her anxiety, came to the appointment. She had trusted him before, and he had hurried her a good distance on her life's journey; she was trusting him again, and he was about to complete the journey for her.

They met and strolled away into the rural districts. They were lovers, thought the people they passed, enjoying each other's society amidst the simple beauties of the neighbourhood. They walked on until they arrived at a little hamlet called Prittlewell, where they would seem to have paused in dalliance. The day was far spent and the night was heralded by the lengthening shadows. What passed between them on that fatal walk could never be told. Perchance the man simulated an affection of a sort, for it was of the essence of his purpose to retain her confidence. She walked with death by her side concealed behind a mask of friendliness. But the time was not yet ripe for the consummation of the resolve, for it must be dark and late, that way only lay security. So they ambled on and talked until night descended and enfolded them in its sable robe, and mercifully shrouded in obscurity the perpetration of the in-human deed.

They were now in a very retired part, little frequented at that time of night. Now's the hour,

thought the man. They are close together, side by side. The man slowly insinuates a hand into a pocket, withdraws it with equal deliberation grasping something which glistens. With the swiftness of thought, and with the silence of the grave, it is at the poor girl's temple. A report, a flash, and she lies prone with the lives of two fast ebbing from her. The man pauses and listens. All is still. He drags the body away and conceals it behind a hedge, and makes off. The deed is done, the *obstacle removed*. Thus the first two lives are accounted for.

Monday morning sees the trusted and respected toiler duly at his post at the docks. After the deed he had walked to London, and consequently does not now feel too "fresh." However he goes about his duties as usual, and arouses no suspicion. He turns the matter over in his mind and feels that he is quite safe. Nobody can have known of his presence in Southend—he had long since broken with the other woman there. The dead girl had been silent concerning him, so how were they to connect him with the deed? He had not been long at work, however, before this self-assurance received a rude shock. A telegram was handed in to him. It came from Southend, from the other woman, the sister, and it ran, "Where is Florrie?" Just those three words, but they were as letters of fire to the man and burnt into his brain. What a bolt from the blue! Where was she, indeed? Safe, quoth he, when here already was one challenge to his guilt! What was to be done? So swiftly was he linked up with the deed! Evidently the dead woman had deceived him, and her sister must

know all, even to their appointment on the fatal day. There was nothing left for it but flight—yes, he must run for it. It was a terrible retreat. He must have money for flight. In the safe was plenty of his employer's money of which he had charge. He helped himself liberally. In one of his pockets he had a gold watch which had been presented to him by his admiring fellow-employees, and was suitably inscribed. But that referred to his other life and held no more significance now than the pilfered gold in a neighbouring pocket, and might be cast into the melting pot of his career. Take a long farewell of honour, steadfastness, truth, probity and mental repose, for ye shall know them no more. That life is closed, and the other is fast hastening to its end. “Where is Florrie?”

He left the docks in precipitate flight and made his way to Mitcham, where he was received with open arms and cries of delight. He was very tired and looked careworn. They were glad to minister to his needs, and for the time being he reposed upon the gentle bosom of Rose Cottage. But it was only partial repose. He constantly sat by the window which faced the common with a vigilant and furtive eye on pedestrians—waiting.

In the meantime the sender of the telegram waited in vain for a reply, and a discovery was made at Prittlewell. A man passing through a lane noticed a lady's glove lying on the path. He picked it up, pondered over it, and drew conclusions. The latter induced him to make further investigations on the spot, and looking behind a hedge he came across the body of a young girl, evidently the owner of the dropped glove. He

gave the alarm and the murder was out. The telegram was replied to. It was the body of "Florrie." An inquest was held and a verdict of "wilful murder" returned against the missing man.

One day two men, strangers to Mitcham, were noticed to be taking particular interest in Rose Cottage. They went up to the front door and knocked, asking for the "commercial traveller," who they knew was in. They did not, however, wait for a reply, but walked in immediately the door was opened. They were detective officers and held a warrant for the arrest of the "commercial traveller" on a charge of having murdered "Florrie." He was taken away in custody, and consternation reigned at Rose Cottage. It was a great revelation and left the inmates in a state of incredulity. It did not seem possible that the dutiful and affectionate husband of the adoring wife could be a murderer, but so it proved to be. Hard truths must be faced.

Thus it was the man was brought to justice and the full enormity of his behaviour laid bare. In spite of strenuous efforts on his part to impede the due progress of the law he was eventually brought to execution, and so the third life was sacrificed. The man had a brother who had stood by him during the trial. He afterwards found it difficult to obtain employment, for directly his identity became known he was sent about his business. The connection did not commend itself to employers of labour, and his society was distasteful to other workers. And so he was hounded from pillar to post. Alas, for human charity! The

only fault he could possibly be credited with was that of being related to his notorious brother, for whom he had a not unnatural affection. Life became insupportable to the man—he was not allowed to live by smug respectability. One day some bargemen noticed a suspicious-looking object floating in the waters of a canal. They investigated it and found it to be the body of a man. The sightless, glazed orbs stared fixedly into the hereafter, whither the soul had fled. It was the fourth life.

And so for the time being the tale was told. I say for the time being, for who shall mark the limit of the evil consequences of this one crime? It ranks in my mind as the most remarkable instance of an erstwhile honest and upright man's precipitate descent to depths of infamy from a given and clearly defined altitude to be found anywhere recorded. Justice could but exact the toll of his own life for his manifold wrongs, nor protect nor shield the many innocent lives that would suffer for indefinite periods thereby. Thus are the innocent punished for the crimes of the guilty from generation to generation.

## CHAPTER XVIII

### THE POISONER

I HAVE no hesitation in placing the poisoner at the head of the list of different kinds of crimes in the degree of gravity and heinousness. For callousness, dissimulation, brutality and hypocrisy, the poisoner is without equal in all the annals of crime. He is also the greatest danger to the community at large in consequence of the subtlety of his methods, and the difficulty generally experienced in bringing his crimes to light. All killing is not necessarily murder, but secret poisoning is the very worst form of murder. And when it is perpetrated by a criminal upon his or her near relations for possible financial gain, or for motives of lust, the depth of the infamy exhibited cannot adequately be plumbed by any healthy-minded man. He can only stand shuddering and execrating at the bare contemplation of it. It would seem that such criminals as these must have been reared from the spawn of a serpent. How a man or woman, husband, wife, mother or father, can calmly inflict a painful and lingering death upon those with whom they have ties of kinship and should have of affection, the while they are using endearing terms towards them and ostensibly ministering to their sufferings, passes one's comprehension.

When that alien assassin, Chapman—or, as I

prefer to call him, Klosowski—was making his weekly appearances before the magistrate, Mr Chapman, through the courtesy of the latter gentleman, I was one morning able to occupy a seat upon the bench, and watched the prisoner very closely for a few hours. I thought him a particularly sinister-looking individual, with his swarthy complexion, piercing shifty brown eyes, high cheek-bones and cruel mouth. His Tartar origin was clearly depicted on his face. That he was inconceivably callous I had striking proof. It came about in a curious manner. During the whole time the prisoner was in the dock he was making notes on slips of paper at frequent intervals. The slips he held down low beneath the dock rail, and while writing, his face was averted from the bench and was held down towards the paper on which he was writing. A brother of one of his victims was giving evidence of a very revolting and damning character, and in silent comment, as it were, on one of the witness's statements a cynical smile overspread the countenance of the prisoner. At the same time, he slowly raised his face and his eyes caught mine watching him closely. Suddenly the smile ceased and with an effort he straightened his countenance. It was a small incident, but it spoke volumes.

Beyond the deaths brought home to this ravening monster and human ghoul by the prosecution several others were known to them, which, however, they did not include in the indictment, which was already weighty enough. How many more deaths he may have caused besides these, one can but vaguely conjecture, for wherever

the wretch went, death lay before and in his wake.

It does really seem a wonder that with all our knowledge of toxicology, that this crime of secret poisoning should still abound so in our midst. This is mainly due to the laxity and complacency of the medical profession. Some doctors seem to require an extraordinary amount of convincing before they will even entertain the bare notion of something being wrong. Is it too much to suppose that they think more of their own reputations and pockets than they do of human life ? As I have already pointed out that for every murder that comes to light there are scores that are never revealed, so in the case of poisoners, for every one brought to justice there are innumerable such criminals who kill with impunity. Under the existing conditions of medical attendance and burial laws such secret murder is quite easy of accomplishment. Let me explain. Some time ago, I had rather a grim chat with the secretary of the Society for the Prevention of Premature Burial, and while learning how possible it is for one to be buried ere life was extinct, it was incidentally forced home to me how easy also would it be for a person to commit successful secret poisoning. A doctor is not compelled to view the body of a deceased patient he has been attending, but can and does grant a certificate of burial upon the mere word of a friend or relative. He is not compelled to satisfy himself that death has really supervened. I once remember a case in my own family. Some years ago I lost one near and dear to me ; it was one

of those sudden bereavements that leave one dazed for the time being. The doctor who had attended her during her brief illness was a friend of the family and entertained some regard for the dead woman. Upon the death being reported to him, he was invited to view the body, but refused, at the same time observing, "No, I should prefer to remember her as I knew her in life." Of course the sentiment is pretty, but it struck me as being somewhat out of place under the circumstances.

Let us now suppose an illness of an ordinary kind, some disease, say, familiar to the medical profession. The doctor has readily diagnosed the case, and has been treating the patient accordingly. The disease runs its course, varying more or less in aspect, the patient being better or worse as the case may be. Under ordinary circumstances the patient will recover—there is every prospect of that happening. But somebody has an interest in the death, perhaps a big stake in it, and recovery would be undesirable, if not awkward. So they have recourse to some subtle poison. The patient dies and the death is reported to the doctor in the ordinary manner. The doctor may express surprise at the sudden "turn" the illness has taken, but he grants the certificate all the same, on which the death is ascribed to the particular disease which the patient was undoubtedly suffering from at the time, but which was not in itself the cause of death. Is it too much to suppose that innumerable persons are thus "disposed of" by the secret poisoner every year in this country? It is only now and again, by the merest accident, that the secret poisoner is brought to justice.

How many are there who are never discovered at all ? A very large number I should think. Of course there is no denying that the task of exposing the secret poisoner is beset with difficulties, but the symptoms of poisoning by most of the known agents now are familiar and distinctive, and when these are observed by a doctor he should act upon the supposition that something is wrong ; not necessarily shout his suspicions from the house-tops or send for the police, but he ought to take measures and precautions, and keep a vigilant eye generally upon the case. He ought not to, as he seems to do now, shut his eyes to the probability of danger, and only recognise it when it is actually forced upon his notice.

Another precaution which might also be taken is the even still closer restriction upon the sale of poisons. There are at the present time about a score of virulent agents to which comparatively easy access can be obtained. The Pharmaceutical Society have for some time been endeavouring to get these included in the Schedule, but without success. The Government are inexplicably slow in this matter, a delay which may be costing many human lives.

It is a curious commentary on the evil reputation which most poisons have obtained that in speaking of them the average individual not unnaturally first associates them with the crime of murder, omitting all thoughts of their beneficial uses to mankind. The words arsenic, strychnine, antimony, aconite, morphia, or hydrocyanic acid all conjure up in the normal mind deeds of criminal darkness. In association with them you think of

Palmer, Smethurst, Pritchard, Cross, Lamson, Horsford, and mentally ejaculate, "Save me from the hands of such people!" As a matter of fact, our bodies are at all times full of poisons which we are constantly taking into our systems through the medium of food, drink and medicines. It requires only a given set of conditions to arouse these into deadly activity. Every invalid who seeks the aid of a doctor is placing himself or herself at the mercy of that doctor. The latter prescribes drugs which are taken according to instructions and with unswerving faith. What, I ask, is to prevent that medical man, supposing he be possessed of homicidal tendencies, from administering a fatal dose of a deadly drug among others? Strychnine is a valuable tonic, and is frequently prescribed. In medicinal doses it is beneficial, in larger doses it would prove fatal. It is, therefore, gratifying to know that so few medical men have been convicted of criminal poisoning, and even these may be described as outcasts of the profession and blunderers. They all selected poisons from Schedule A when they might have used others of a far more secret nature, poisons the traces of which it is almost impossible to chemically analyse, their effects on the tissues being identical with the ordinary decomposition of the body. As far as I am aware these poisons have never been used for homicidal purposes, and I will not even mention their names lest I bring down upon my unoffending head the wrath of the ultra-scrupulous. I will, however, just remark that nicotine is a deadly poison, and from its effects I should think a considerable portion of the

population suffered. In one instance only have I known the poison to be used for criminal purposes. It would indeed be a difficult matter to prove guilt were a habitual smoker to be thus slain.

There are, of course, a good many fallacies existing concerning the action of certain poisons on the human body. These fallacies have been created by the fantastic stories which have been told from time to time of persons being instantly killed by the grasp of a poisoned glove, the smell of a poisoned rose, or the prick of a poisoned ring. You may absorb such "doses" as these in deadly earnest in the realms of fiction, but in the world of fact you must take them *cum grano salis*, when you will find them quite innocuous. There is an antidote for every poison, even for the poison of a snake-bite, which will nullify the evil effects, provided it is taken in time. It is a natural law which you will find exists throughout life—for every irritant there is a counter-irritant. Of course there are exceptions to every rule, and in the case of Horsford's victim, who had enough poison in her body to have killed thirty people, nothing on earth could have saved her.

So much for the poisoner of the past and the present; what of the poisoner of the future? During a chat I once had with Sir James Crichton Browne, the eminent authority on toxicology, I gathered some lively notions of what the poisoning of the future might be. The poisoner of the future will not resort to any of the old blundering methods included in Schedule A, he will eschew alkaloids altogether, he will never be discovered through the medium of the tests of March, Reinsch, and

others, he will even defy the law of circumstantial evidence, for his weapons will be microbes. Every infectious disease has its particular bacilli—typhoid fever, pneumonia, cholera, enteritis, and so forth. Medical science is so far advanced that these organisms can be raised in test-tubes, and administered to human beings in water that might well pass as pure. Once introduced into the system they would probably set up a fatal attack of a particular disease without leaving behind the slightest trace of the true origin. You cannot fail to observe the serious possibilities thus offered to the future poisoner. Suppose an epidemic of a specific disease in a certain neighbourhood, and microbes of that disease introduced into the system of a person by a homicide. Where is your trace, where is even a suspicion to come in ? We are, as yet, but in the mere infancy of the microbic science, but in time, when we become better acquainted with the life history and habits of these microscopic organisms, our skill in producing them will increase, and there is no reason why, eventually, they should not be as plentiful and easy of access as any of the alkaloids to be found in Schedule A. Again, these microbes when in the system multiply at a marvellous rate, and consequently the disease would be very rapid in progress. If the connoisseur in poisoning of the future so desired it, he could nourish and train his microbe to such a degree of malignancy and ferocity as to leave no possible doubt of a fatal issue.

Further, these microbes themselves render powerful poisons which can be used in very small

quantities with very disastrous results, and without leaving behind any trace of their presence. They can be administered by means of hypodermic injections, mixed with medicines, or placed in any small wound or scratch, and the doctor would indeed be a bold man who would assert that the poison was used for homicidal purposes. To give an idea of the power of those microbic poisons let me state that two-tenths of a milligramme of tuberculia injected into the human body, sixty trillion times its weight, raises the temperature of the whole mass several degrees, and one milligramme of tetanus will kill a horse, six hundred million times its own weight. A fatal dose of tetanine would be but a five-hundredth part of a similar dose of atropine, or a one-hundred-and-thirtieth part of strychnine. In the future your Sherlock Holmes will find his science of deduction miserably inadequate in dealing with the scientific poisoner.

Of course, as yet medical men only have access to these poisons, and it would take even them about six months to raise one such microbe. This would be of no earthly use to the ordinary criminal, although a homicidal doctor could avail himself of it. But, speaking generally, the time for microbic poisons is not now, and in speaking of them I have but been foreshadowing coming events. I know there are some people who raise objections to plain speaking of all kinds, but truths cannot harm. It is the concealment of truth which frequently works evil. Any form of plain speaking which is calculated to enlighten is to be welcomed and encouraged. To close one's eyes to the presence of a yawning abyss is not to remove its dangers ; to face it boldly

is to avoid its depths. A timely knowledge of these virulent poisons, and the opportunities they offer to the evil-disposed, is a weapon not to be despised. If it were not for the knowledge which we now possess of the effects of poisoning by agents contained in Schedule A, and the tests we are accordingly able to apply to confirm or contradict suspicion, and so convict or clear the guilty or innocent as the case may be, the loss of human life at the hands of the fiendish poisoner would be very much greater. Years ago, before this knowledge was vouchsafed to us, when those female miscreants, Cotton, Madame Gottfried and Marie Jeannerette poisoned and plundered for long years with impunity, the loss of life from homicidal poisoning must have been enormous. By all means let us have a full knowledge of our peril that we may the better combat it.

## CHAPTER XIX

### THE VITRIOL THROWER

IN enormity and degree of public danger I place the vitriol thrower second only to the most serious crime known to the law. In callousness, duplicity and general fiendishness he is but a short way behind the modern Brinvilliers. So gravely indeed is the crime of vitriol throwing regarded by the State that a special Act has been introduced to deal with it, which empowers a judge to inflict a maximum sentence of penal servitude for life. He can, however, if he considers the circumstances admit of it, inflict a much lighter sentence. In fact, the punishment for this crime comprehends the whole or any period of incarceration, from one day to life. It depends on the circumstances.

I think there is a good deal to be said in favour of Sir William Gilbert's doctrine of making the punishment fit the crime, and for the vitriol thrower it would seem but justice to punish him or her by inflicting a similar amount of suffering, in a similar form, as that endured by their victim. In physical torture the vitriol victim is far worse treated than many who fall beneath the bloody hand of the homicide. This corrosive and consuming agent—which, by the way, can be purchased by anybody at any oil-shop without any inquiry being made!—named sulphuric acid, but

which is sometimes also called vitriol, will, if brought into contact with any fabric, demolish it with the rapidity of red-hot iron ; it will also set stone and metal smoking like ignited coal. Think what this must be on anything so tender as the human face, in the delicate organ the eye, not merely applied but *dashed* into it. The vileness of it is almost beyond conception. It will destroy the sight and distort the face out of all human semblance for all time.

As far as one can discover, this fiendish form of crime came into existence in the year 1877, being initiated by a woman, or something in the form of one. It has been written that "hell hath no fury like a woman scorned," and this certainly is a hell-born deed. The female in question was a native of France, a member of the "light brigade," who among her disreputable associates was known picturesquely as "Madame de la Tour," but who in reality was just "Widow Gras." For years she had wallowed in the rampant vices of the gay city of Paris, and at last she saw old age creeping down upon her, Time having begun his inevitable process of bleaching her locks. Now these were not to her the grey hairs which invite honour and respect, but were merely calculated to alienate her "clients." One of the latter, a young man, had formed the resolution to take unto himself a wife, and in order to be quite "respectable" found it necessary to break with his mature *inamorata*. To the latter this seemed to be a base desertion and a kind of affront to her personal "attractions." She decided on a scheme of revenge that should effectually "spoil" her young friend and afford

herself a certain measure of satisfaction. She would "vitriolise" him. But she lacked the necessary nerve or courage to commit the monstrous deed herself, so employed a male miscreant to carry it out, in return for which service she promised to marry him. What a reward! That the man did it is proof of his desperate matrimonial intentions. In the end the lady was awarded fifteen years' penal servitude. Since then it has been frequently resorted to in that country by people with real or fancied grievances. It also found its way to America, but happily it has not yet been heard a great deal of in this country, and it is to be sincerely trusted it never may. It is generally associated with that mischievous and twaddly doctrine the "unwritten law." A more meretricious and crazy idea than this was never propagated, and the quicker we have a law specially written to deal rigorously with it the better.

This frantic appeal to all that is unwholesome in the human mind is usually associated with some adulterous intrigue; a man perhaps has "betrayed" a married woman with whom he has been carrying on some illicit intercourse—that is to say, he proposes to have no more to do with her. Thereupon she visits the "unwritten law" upon him in the shape of vitriol or a pistol. Granted the man has been a contemptible scoundrel the woman is about the last person who is entitled or qualified to judge and punish him, as the "unwritten law" has it, which is a mere lame excuse for any form of unwarrantable brutal violence actuated by vindictiveness. It takes two to commit adultery, and in the case of a married woman her enormity

is far greater than that of the man, who not infrequently is a single man. He, as I have said, is a despicable moral reprobate, but the woman casts aside not only her self-respect, but her duty to her husband and, worst feature of all, to her offspring. A single man's responsibility in this direction is far less heavy than that of a married woman, for her behaviour affects posterity. It is safe to say also that she is upon occasions the temptress, the leading spirit of the intrigue, it was so in the Beginning, and it is not straining the probabilities to suppose that the spirit of mischief-making has not quite gone out of the woman of to-day. One would have thought that the natural instinct of maternity would have been sufficient to prevent a woman and a mother from embarking in such enormities, but apparently it is not so. Among the lower animals the maternal instinct is all-powerful. The "unwritten law" is supposed to justify such wretched creatures as these in violating any forms of written law which their unholy passions may dictate to them—a vile and pestilent heresy !

I now propose to describe a case of alleged vitriol throwing which was heard not long since at the Old Bailey at which I was present, and which was typical of this class of case. The prisoner was a tall, slim, dark, good-looking young Frenchwoman. She was neatly attired in a black velvet gown and wore white gloves. Her face, which was dark to swarthiness, and was surmounted by an abundance of jet-black hair, showed some traces of prison pallor, and she appeared to be suffering a good deal. Her eyes were dark as sloes and into them, during the four days' hearing of the case, she contrived to

import a wonderful variety of expressions ; now they were softly endearing, then prettily submissive, anon shooting forth unmistakable gleams of determination. In deportment she was most accomplished—there was eloquence in the mere raising of a finger. The prosecutor, scarred and blinded in one eye, sat at the table. He was the son of an ex-cabinet minister of France, she the daughter of a small tradesman. He spoke indifferent English, she none at all. The case had drifted here across the Channel—more's the pity.

The story unfolded might have been written by a Daudet or a De Maupassant.\* It began about nine years before, when the two young people met in the streets of Paris, the lady having shortly before emerged from the Convent of the Sisters of St Paul. The acquaintance thus unceremoniously begun ripened into ardent attachment, but the young man's parents objected to the contemplated alliance on the plea, presumably, of social inequality. Then began an intrigue of a most unspeakable character, which was brought to light through the medium of a number of letters which passed between the two young people, and which were imported into the case. Some of these were dainty pink missives, written in very small, neat characters, and breathing superlative adoration. A few of them were of such a character as to put the court to the blush, and, speaking generally, they seemed to plumb the very lowest depths of human degradation. They, of course, put the prosecutor in a most odious light. But

\* There is a curious resemblance between this case and De Maupassant's *Monsieur Parent*.

it should be borne in mind that the morals of Paris are not those of London, for which, in the words of Pepys, "God be praised." The intrigue began upon the occasion of the prisoner being married, and was continued until the husband, "unhappily or happily," as counsel put it, died. After the "release" the two continued to meet at frequent intervals. Eventually the young woman married a second time, a ceremony which did not, however, interfere with the course of the intrigue. The second husband soon became suspicious—he was not quite so gullible as the first luckless Benedict—suspicion strengthened to conviction, and divorce brought release. But the intrigue survived. Finally, friction arose between the two devoted souls, and the man tried to put a period to the guilty acquaintance. He came to London, ostensibly to pursue his studies, but the lady read it as desertion. She followed soon after, bringing with her the following curious *articles de voyage*—a six-chambered revolver, loaded in all its chambers, a box of cartridges, and a large bottle of sulphuric acid. She found her recreant lover at Tottenham. The following day they went to a hotel in London where the tragedy happened. The man said she threw the acid in his face, the prisoner said it was an accident, she having intended to take it herself and die "at his feet."

I shall not readily forget the feelings engendered in me when, seated but a few feet from the prosecutor, I listened to his version of what he considered to be the lady's original intentions towards him. Pure sulphuric acid is almost colourless, but that which was found in the possession of the

prisoner was coffee-coloured. This the accused accounted for by saying that the shopkeeper in Paris from whom she purchased it used a pewter funnel in pouring it into the bottle, and that had caused the discolouration. But an expert witness declared that the acid could not so be affected by a pewter funnel, which left the interpretation decidedly "open." Now if the prosecutor's version of the woman's original intentions towards him be true, then this question of colour wears a very significant aspect. The prosecutor said in his evidence that she intended him to drink the acid in mistake for coffee by ringing the changes on their respective cups. And it was a fact that the lady, whose custom it was to take coffee after dinner, refused it while they were in the public dining-room but altered her mind when they were together in a room above, and had a cup brought up. But the prosecutor had already had his cup downstairs, and it was this fact, said he, that caused the first plan to miscarry.

The letters I have referred to were introduced by the defence surreptitiously, and at the outset they were objected to by the judge, who stated that they could have nothing to do with the point at issue. Most of them were, in fact, written many years prior to the day on which the tragedy happened, and which formed the subject of the charge. Counsel insisted and the judge yielded, at the same time remarking that although he was unable to stop the letters being introduced he should direct the jury that they had nothing to do with the charge. No wonder counsel smiled thereat, for if the letters were read the object of

their introduction was accomplished, and it mattered little what followed in the way of comments. Now I was always under the impression, and indeed I am so still, that a judge may exclude or rule out any sort of evidence which he in his wisdom may consider irrelevant. Not so in this case, however. In fact, some extracts from one or two letters having been read, the judge remarked, "Oh, I did not know they were such letters as that!" in an apologetic tone, as much as to say, that he was not sure whether he was justified in objecting so much as he had done. Here is extraordinary reasoning. First the letters are irrelevant having been written so long ago, but their contents being made known they are no longer irrelevant, although the dates are just the same! This is like some forms of judicial "humour," very difficult to understand, quite impossible to appreciate.

Why the merest tyro of a layman can see plainly enough what course should have been adopted in dealing with those precious letters. The point at issue was, did the prisoner or did she not on a certain day, at a certain place, cast vitriol into the face of the prosecutor? That is plain and straight enough, and that is the issue which should have gone to the jury unprejudiced by the epistolary abominations, which can only conceivably have been admissible under an "unwritten law." If there be a written law anywhere in existence justifying their inclusion under the circumstances I should like to have it pointed out to me. Suppose, then, if the jury, upon the direct issue, had convicted, then the letters might

have been taken into consideration "in camera," and if anything extenuating had been found in them, the judge could have taken it into consideration in passing sentence. If, on the other hand, the jury had acquitted then nothing need have been heard about the letters, and the cause of decency would have been the better for it. I venture to think that if the filth which is frequently "aired" publicly in our various courts were kept strictly private, and not allowed to get into the newspapers, it would be all the better for public morals. The harm that is being done to young minds in this way is incalculable.

Well, in the end the complacent jury acquitted the prisoner. She was made a sort of heroine of, patted on the back, interviewed, photographed, and that embodiment of all that is indiscreet and foolish, the "popular voice," said "*Bravo! Bon voyage!*" Quite so. Well, within a week of this acquittal another woman, who, it was proved, had been reading the reports of this case, threw acid into a man's face in the way of revenge! So you see the beauty of this sort of thing. The woman put up precisely the same defence as the other woman—namely, that she had intended to drink it, and that it was by accident it got on to the man's face. Fortunately, in this case, there were no letters and the woman got twelve months' imprisonment, which was by no means a heavy sentence for the devilish deed.

One cannot exactly blame the defending counsel in the former case for introducing the letters: it would be too much to expect a barrister with an ounce of "fight" in him to resist such alluring

material when placed at his disposal, but a grave responsibility rests upon the shoulders of the judge. At the same time, although a barrister fights in the interests of his client, there is no escaping the fact that he also, at the same time, fights for his own "hand." It is, of course, to his credit in his profession to win, especially if it is what is known as a "popular win." Many a barrister has been "made" over a single case in this way, as an author has over a single book, a dramatist over a single play, an artist over a single picture. But I venture to think that a barrister has, in addition to his duty to his client and to himself, also a duty to the law, justice and the community at large, particularly so in such a case as that under notice. The laws are supposed to be framed with a view to the protection of the people who themselves abide by them, and if anything occurs in the administration of them which is calculated to jeopardise their safety, it is wrong and cannot be defended.

I ask the reader to look up the cases I have quoted, the one the sequel of the other—they are both officially recorded—and form his own opinion. In the treatment of such crimes as that of vitriol throwing every private citizen is closely concerned ; to deal leniently with it is to offer as grave a menace to public safety as can well be imagined and dreaded.

## CHAPTER XX

### THE BURGLAR

SIR RALPH LITTLER has expressed the opinion that the burglar is the worst of all criminals, inasmuch as he is, in addition to being a robber, also a terror. There is, of course, a good deal of force in this contention, for the silent, nocturnal predator is a criminal who is feared largely by law-abiding citizens, especially so by women. The hour which he selects for his "operations" is doubtless the cause of a good deal of this awe. The daylight thief is not nearly so much feared. There are, of course, burglars and burglars. All burglars are not bunglers, some being very skilful "craftsmen." The old days and ways of "Bill Sykes" are moribund if not absolutely dead. In these enterprises there is now very little of the "money-or-your-life" element, "cribs" being "cracked" now with expedition, secrecy and skill. The "Spider" in the play of *The Silver King* is not merely a figment of the dramatist's imagination, he is a real flesh-and-blood entity. No, your burglar does not, nowadays, go to work with a bludgeon, and carry all before him with an "Out of my way and to hell with you!" policy; rather does he adopt a pacific, apologetic air, and with a "Sorry, but by your leave" attitude, "conveys" his neighbour's property. In all

things we are a progressive race ; and such are the advantages of education.

No burglar worth his salt in a criminal sense courts an encounter with the occupants of a house he intends to "explore," rather will he do all he can to avoid such a meeting, taking the most tireless steps to ensure secrecy. He is both strategic and tactical. If he can he will "come like a shadow, so depart." The tools he carries are of the very best make, and he can carry a complete set about him without arousing suspicion. A burglar's "waist-coat" is made almost entirely of pockets, in which the tools repose : "jemmy," chisels, pincers, drill, hammer, wrench and files, all ready to use at a moment's notice. All these implements are made of the very finest material, the drill and jemmy being quite "pretty" instruments. In fact, burglary is becoming a really refined occupation, associated as it frequently is with kid gloves, evening dress, and scented cigarettes. The bad old method of getting at a person's valuables by first knocking out the proprietor's brains is surely giving way to more polite methods.

A burglar proper, so to put it, usually flies at "high game" and would not think of breaking into an ordinary suburban "villa." It must be a good-sized building, a mansion, and something that looks "warm." In fact, he must be well assured that there is something there worth having before he makes any attempt. Then he goes to work very deliberately. Servants are a great source of danger to households on account of their propensity for talking with strangers, and scraping acquaintance with unknown men. Burglars know

this well, and one of the first things they do when they have "located" a "job" is to draw the "burnt gravy"—slang for "slavey." They will sometimes even go so far as to make love to a servant, and formally become "engaged" to her, which gives them a big advantage. In the intervals of paying homage to Susan's personal attractions they will glean much useful information about the master and mistress and the habits of the household, and may even get invited into the house as the girl's "young man," thereby becoming familiar with the "geography" of the place. Then when at last all is ready and the necessary opportunity presents itself the coup is accomplished swiftly, leaving Susan bereaved and her master and mistress poorer but wiser.

As burglary is a branch of crime, so burglary itself has branches. There are some burglars who make a "speciality" of jewellery, and rarely ever steal anything else. They "favour" jewellers' shops, and in carrying out their schemes display remarkable daring and ingenuity. It is also usually these men who perpetrate what is known as the "ladder robbery." While the occupants of a house are at dinner they will obtain access to an upper chamber—usually my lady's bed-chamber—by means of a portable ladder, and, securing the door by some means—by screwing it up maybe—they will clear out all the valuables they can find. Then there is the burglar who is not particular to a hair what he "finds," and is open to "crack" any "crib" that looks worth it. There are also the "small men," the paltry housebreakers—house-breaking becomes burglary after a certain hour of

the day, and is of course more severely punished—who have not the skill, daring or courage to “put up” a big “job,” but who will engage in any kind of enterprise of the kind that promises them *something*. It is this class of burglar who is most dangerous to householders, for he is both clumsy and brutal, and he “operates” in places where his presence is most affrighting. He is an individual which the experienced “cracksman” would not even make a “tool” of. He is a mere “clod” of a criminal.

There is a certain professional pride about burglars, and buildings appeal to them almost exclusively from the point of view of their vulnerability to the “jemmy.” In this connection I recall a curious and amusing story which was once related to me by Mr Frank Barrett, the novelist. When he was preparing his story “Fettered for Life” it became necessary that he should secure some prison material, so obtained permission to go over Dartmoor Prison. It was while conversing with the chaplain that he heard the story which follows. The chaplain’s house is situated near the prison, and one day he, the chaplain, noticed a prisoner looking very steadfastly at it. He went up to him and asked him what he was staring at the house for. The prisoner, who was a rough sort of man, replied, “Wy, sir, I wos a-thinkin’ wot a h’easy ‘crib’ that would be ter ‘crack’ ! ” “Oh, indeed ! ” replied his reverence. “Yus,” the man continued, “wy, I should on’y ‘ave to give a turn o’ ‘Little Jim’ an’ in I should go ! ” “That might be,” commented the chaplain, “but let me warn you not to try ; if you did and came up-

stairs you would find a fully-loaded gun waiting for you, with me behind it ! ” “ Oh no ” ! exclaimed the man deprecatingly. “ Oh no, I wouldn’t go upstairs ; I says to my pal t’other day, I says, ‘ We wouldn’t go h’upstairs, would we, ’cause then we should frighten the missis ! ’ ” Some time after this, while Mr Barrett was on the Continent, he saw the report in a newspaper of a burglary at the chaplain’s house at Dartmoor, with an account of how the chaplain had shot the intruder with a gun he kept ready loaded in the house !

The burglar is a very difficult criminal to deal with, and supplies more to the ranks of the “ habituals ” than any other class of criminal. He rarely abandons his nefarious form of living, it seems to grow upon him, and immediately he is released from prison he sets to work to arrange another “ burst ” (burglary). There is a kind of brotherhood among “ cracksmen,” a sort of burgling fraternity, a freemasonry of mutual support, which is difficult to tackle and destroy. They seem to have banded themselves into a community which is pledged to prey upon society. Most of the clever and cunning jewel robberies, other than those committed by breaking into houses, which take place from time to time, are the work of the “ swell ” members of the burgling fraternity. Some years ago a very ingenious trick was played upon a Bond Street jeweller by a little gang, whereby the tradesman was robbed of a valuable diamond. A man induced a friend of his—a so-called diamond merchant, with a very small connection and an easy conscience—to lend him a diamond of considerable value. He then proceeded to attire himself in a

fashionable manner and took rooms at a big hotel. Shortly after he strolled into a jeweller's shop in Bond Street and asked to see some good diamonds. He explained that he wished to match a stone already in his possession, so that he might have a pair of earrings made as a present for his wife. The jeweller accordingly produced a tray of very fine stones which the gentleman regarded with the eye of a connoisseur. Finally he decided it would be better—safer—to postpone the purchase for the production of the stone to be matched, which he said he would bring with him on the morrow. True to his word he appeared again the next day, bringing with him the stone in question. But again no sale was effected, the would-be customer preferring to leave his own stone with the jeweller so that he might have more time to look about and obtain the required duplicate. He, of course, took a receipt for it, and left his hotel address. About two or three days after he received a message from the jeweller to the effect that the stone had been matched, in response to which he once more repaired to the shop in Bond Street, where he examined a number of stones. Suddenly the jeweller missed one of the latter, and at once became suspicious of his customer. Both grew indignant, the latter suggesting that the police be sent for. This was done and the customer submitted to being searched. No stone, however, was found upon him, so the jeweller was compelled to apologise, whereupon the customer left, taking his own stone with him. Soon after an old gentleman bustled into the shop with a brooch to mend.

The robbery was affected in the following manner.

On the occasion of his first visit the thief planted a piece of wax under the ledge of the counter. At the second visit he satisfied himself that the wax was there. Upon the third occasion he manipulated the diamond and stuck it in the wax. The old gentleman with the brooch to be mended was a confederate who took the stone away.

Perhaps one of the most daring and elaborate jewel robberies ever perpetrated was that committed some years ago in Hatton Garden. One day a man rented an office on the first floor of a building in the "Garden," taking possession the same day, having furniture brought in and a name-plate affixed to the door post. There is a café in the street where the various diamond merchants meet and transact business, and here the new tenant of the office mentioned a day or two later got into conversation with an old gentleman who was known as a dealer in precious stones. He had, in fact, just come from Amsterdam, bringing with him a valuable consignment of stones, with a view to doing business. At the same time he produced a specimen stone from his pocket and showed his companion, whom he took to be also a dealer. The latter indeed had so represented himself, stating that he wished to purchase some good stones for a customer of his. He took the specimen stone in his hand, closely examined it, and expressed his satisfaction with it. Finally it was arranged between them that the old gentleman should call at the other's office at four o'clock one afternoon, bringing with him as many stones as possible. All unsuspecting the dealer from Amsterdam made his way to the office in Hatton Garden on the day and

at the hour appointed, having in his possession a wallet containing a collection of various stones to the value of over £2000. They were, of course, in the rough. He mounted the stairs and knocked at the door, which was opened by the "dealer" with whom he had made the appointment. He was invited to step inside, which he did, and the door was closed behind him. There was a table in the middle of the room, with a chair placed near it ; there was also a screen to the right. These details the old gentleman took in at a glance, not attributing any particular importance to them, although, read in their true light, they were so pregnant. After all, it was just an office, thought he. A mere flash of knowledge would have invested those seemingly trifling details with the gravest importance ; but the knowledge was lacking, and he had his back, so to speak, to the looming peril.

His friend was all affability, and waved him to the seat at the table. The old gentleman sat down and proceeded to draw his wallet of stones from his pocket. He had his back to the screen, so did not observe a man stealthily emerge from behind it, carrying a heavy weapon in his right hand. He placed his wallet on the table, displaying the stones. The weapon was raised, and as the old gentleman was about to address the man in front of him it descended upon his head. Ere he could recover from the shock he was struck also in the front, and a chloroform pad applied to his nostrils. He lost consciousness. When eventually he recovered his senses all was quiet in the office. He struggled to his feet and looked round. His wallet was gone, and he was alone in the apartment. He staggered

to the door, but found it was locked. He there-upon hammered upon it, and shouted for help. At last his cries were heard by a policeman outside, who mounted the stairs and interrogated him from without. Thus learning what had happened the policeman summoned assistance, and the door was burst open. By that time the thieves had got a good start, and pursuit would have been futile, even had there been a clue, which there was not. So the only thing was to curse and bear it.

It was calculated that there were three or four in the gang, and that, having silenced their victim, they left quietly and unconcernedly one by one, the last locking the door behind him. From that day to this not the slightest trace of them has been discovered, and it would be presumptuous to suppose that it ever will emerge fom the obscurity of conjecture.

Such are some of the side "diversions" of the skilful "cracksman."

One cannot very well speak of burglars without also including "fences," those dark, hole-and-corner miscreants, without whom the former could not prosper, even if they could at all exist. The burglar cannot dispose of his spoil in any ordinary market, which would, of course, at once bring the police upon him, so he has to have recourse to the "fence" or receiver. This social abomination is usually of the Hebrew persuasion, and is invariably in his nefarious dealings a most unconscionable usurer. He has the "pull," and the thief is obliged to be content with almost anything the receiver may choose to give him. There are, however, certain articles which the burglar

can dispose of without the assistance of the "fence," such, for instance, as rough stones, which cannot be sworn to any more than coin of the realm. Also the contents of the melting-pot is pretty negotiable. But anything that can be identified or sworn to must go into the hands of the "fence." The arm of the law is ever out-stretched to clutch this unclean thing, yet rarely succeeds in reaching it, so subtle and cunning is it. It is slippery as a serpent, and as poisonous. The "negotiations" between thief and receiver are carried on as secretly as the former can make them, for the more the latter gets to know about him the more he gets him into his power, and is therefore the better able to "bleed" him of his ill-gotten gains. He is the foulest thing in all the walks of crime, and it is some satisfaction to know that occasionally he receives well-merited and summary punishment by being "outed" (killed) by some enraged "crooks" (thieves) whom he has treated more than usually badly.

## CHAPTER XXI

### THE COINER

ONCE a coiner always a coiner. That may be taken as an invariable rule. Coining seems to exercise a peculiar fascination over the "smasher," as he is technically termed. A very considerable portion of his life is spent in prison, and when he is not there he is busy making counterfeit coin, living on his own currency. The "smasher" need not necessarily be also an "utterer," although he does sometimes combine the two. But in most cases he is content to be the manufacturer, and to supply the spurious coin in exchange for so much genuine coin. He keeps as "dark" as he can, and when the "utterer" is caught he will never reveal the whereabouts of the manufacturer of the spurious coin he is charged with uttering.

The "smasher" is a very methodical man, and believes in having a place for everything and everything in its place. His implements are many and serviceable. First the crucible filled with best white-metal spoons and forks—other people's, of course. These are well and truly melted in conjunction with some tin and common solder, the latter ingredients to add "lustre" to the metal. The molten metal is then poured into a plaster mould, which is held in a clamp, and from which the coins emerge very like the genuine article, but not by any means ready to be nego-



"HIS IMPLEMENTS ARE MANY AND SERVICEABLE."  
(*"The Coiner."*)



"THE WELL-KNOWN RUSSIAN ROUBLE NOTE CASE."  
(*"The Forger."*)



tiated. They are next placed in a wire rack, and thus further silvered by battery. Their "newness" has then to be removed, and by sundry touchings-up they are made to appear as though they had been in circulation for some time. Being new, they would be more likely to attract attention. They are finally done up in small parcels, ready for "trading." The coiner does not issue a printed price list, his terms being well known among the "fraternity." The "dealers" are aware of how much a good, honest-looking two-shilling piece will cost, or a shilling that would bother the Master of the Mint himself. The principal weapon which the "utterer" must possess is brazen impudence. He must be able to go into a man's house after his silver as though he scorned his spoons.

The coiner is a most difficult criminal to catch, almost as difficult as the "fence," on account of his cunning and secrecy. His "mint" may be a room in some highly respectable-looking dwelling-house, and the precautions he takes to divert suspicion are usually very effectual. He may contrive some secret entrance, and the room in which he works is always a veritable Bluebeard's chamber, inaccessible to any but those concerned. The police experience the utmost difficulty in securing sufficient evidence of the existence of a coiner's "den" to justify them in making a raid. And even then they have to proceed with considerable circumspection, for your coiner brought to bay is a desperate and unscrupulous man. I remember a case of an "utterer" being caught in a very curious manner. One day a detective was stroll-

ing along the street keeping his eyes about generally, when he noticed a man a few yards in front of him throw down a screwed-up piece of paper. Something prompted the officer to furtively pick the latter up and examine it, which he did, much to his secret satisfaction. It was a piece of tissue paper, such as was familiar to the detective as that sometimes used by coiners in which to wrap their spurious money, and on which, in fact, there then appeared the mark or impress of a coin. This decided the detective, and he kept the man who had thrown the paper away in view. It was not long before he was able to catch him in *flagrante delicto*, and, upon being searched, he was found to be in possession of quite a number of counterfeit coins. It was a very clever "catch."

Sometimes when the police have fixed the identity of an "utterer" they will closely "shadow" him for some time, with the hope of being able to track him to the "den" or coiner's retreat, for, of course, it is much more important to catch the maker of the coins than the man who merely passes them. But in this they are not often successful, on account of the very secret nature of the "smasher's" negotiations with his "satellites." The transactions generally take place away from the house where the coins are made, and in such a manner as to defy detection. Coining is a very ancient form of criminal "trade," around which has been woven quite a fabric of romance. In old-time melodrama, the "coiner's den" was almost inevitable, and was a scene which never failed to absorb and thrill the audi-

ence. The coiners were usually shown busy at their illicit industry, singing a jovial and defiant chorus, while the hapless heroine was being held in bondage as an unwilling confederate. Of course there was a "raid," but the approach of the police would be signalled by a "lookout"—a peculiar whistle is heard—and in a trice all the implements disappear as though by magic, the apartment instantly assuming a perfectly innocent aspect. Thus were the police "foiled." Occasionally, however, a free fight ensued, and much "blood" shed.

In addition to coining there is also the allied "trade" of "sweating," which is also very ancient, the two being usually combined. The latter crime is, however, now almost extinct. It is very rare for such a charge to be heard nowadays in our criminal courts. In 1904, though, a very important raid was made by the police at a small house in an unpretentious thoroughfare at Vauxhall, when a most elaborate "smashing" and "sweating" "factory" was brought to light. So important was the discovery regarded that the Chief Commissioner himself visited the place. The police had had the house "under observation" for some months, and finally they arrested two men as they were leaving the place on bicycles. Upon a search being instituted on the premises, a most imposing array of the most skilful appliances both for "smashing" and "sweating" was found, in addition to a large number of sovereigns and half-sovereigns. It was an ideal place for such a "den"—retired, humble, apparently beneath notice. The glass of the lower windows had

been "frosted," and the place was guarded by a ferocious dog. "Sweating" seemed to be the principal "industry" carried on, which requires considerable skill to accomplish successfully. A rubber mould is used, into which the gold coin to be "sweated" is introduced and held, as in the case of coining, with a clip. Copper wires having been adjusted, the coin is immersed in a bath of cyanide of potassium, and an electric battery set going. The action of the electricity upon the coin in the acid uniformly "sweats" the metal—that is to say, causes so much of it to become detached. This process is gone through with a large number of coins, and the gold deposit thus obtained is extracted from the acid.

But all things considered "sweating" was but a poor business, and evidently it was thought so by the criminal fraternity, for it dwindled to a mere nothing. In 1871, in the annual report of the Master of the Mint, the official chemist stated that during the year he had had only two sovereigns submitted to him which had undergone the process of "sweating." A sovereign weighs 123.27447 grains, and the limit of error in the weight is 0.2 of a grain, from which it may readily be gathered that "sweating" cannot now be a very lucrative business. But doubtless it was more so before the growth of the Mint and the intelligence and astuteness of the police. Prior to the raid in Vauxhall, which I have already referred to, certain subtle indications of the existence of the "den" were observable in the neighbourhood. "Light" sovereigns were in circulation, one local tradesman being "fined" two and threepence by his banker

for a "light" sovereign. It should be explained that it is for the purpose of detecting the existence of such reduced coins that bankers weigh gold coins in a balance, and if one is in the scale it will immediately be shown by the indicator. The "light" coin is then fished out, and whatever the "shortage" represents that amount the customer will have to make up or be "fined." As in coining there is a regular trade carried on between the "smasher" and the "utterer," so in the case of "sweating" a similar trade exists between those who "sweat" and those who have coins to be "reduced." And in both cases, as I have already pointed out, it is not easy to link up the two branches.

Perhaps one of the smartest bits of police work ever done in connection with coining took place in 1902. The Bank of England received several half-crowns from Malta, which proved to be very clever counterfeits, and it was evident that a dangerous "den" was in existence somewhere on the Continent. The matter was placed in the hands of the police, who traced the coins back to Malta, and thence to Syracuse, where they found the "den." Quite a large trade was being done with the British half-crown and the Ottoman piastre. The coins were shipped in large numbers to Tunis, then forwarded to Barcelona, where they were readily disposed of.

The skill of the criminal is constantly increasing, and sometimes even greater ingenuity is displayed by him in the construction of implements than that to be found in connection with legitimate craftsmanship. In the raid at Vauxhall it was

estimated that the implements found there must have been worth something like £500, and drew from the police eulogistic observations. The police are always ready to give credit for ingenuity, even when it is exercised to their own bewilderment. At Scotland Yard they have a museum which is crowded with criminal "relics," the spoils, so to speak, of the internecine war. And the police are justifiably proud of their "exhibits." The implements found at Vauxhall for making silver coins were considered to be even in advance of similar appliances at the Mint itself. It was ascertained that they "sweated" 250 sovereigns a day, and that from each coin they obtained about two-shillings' worth of gold. Shortly after this raid was made another mint was discovered at Brixton. At the back of a quiet, two-storeyed villa, in a shed, apparatus for making spurious coin was found. It was supposed the house had formerly been in the possession of one of the men arrested at Vauxhall. The apparatus bore no signs of having been used recently. The mere possession of coining implements is sufficient to convict, it is not necessary to prove their use ; it is an indictable offence to have such things in one's possession.

It is satisfactory to know that the crime of coining is very much on the decline, as the following figures show :—

Year	Prosecutions	Convictions
1894	123	100
1895	116	89
1896	89	76

Year	Prosecutions	Convictions
1897	108	96
1898	116	102
1899	100	85
1900	76	68
1901	63	50
1902	63	51

In the last-named year there were altogether 80 persons charged in England and Wales with the crime of coining, 17 of whom were discharged for want of evidence. Of those prosecuted 12 were acquitted and 51 convicted. In 17 cases the prisoners were caught in the act of coining or with the incriminating implements in their possession. The worst cases were two at Cardiff, where very fine counterfeits were being made, one at Llanelly, and two—man and wife—in London.

Let us take a more general view of these “mint prosecutions,” as they are technically termed. We will take the year 1898 as an example. Of the 116 prosecutions 71 were metropolitan and 45 country. There were 14 acquittals and 102 convictions, 3 of the former and 42 of the latter being country. The convictions were divided into “felonies” (38) and “misdemeanours” (64), being the distinction between the two offences of actual coining and the mere uttering or passing. Nearly all the felony prisoners had previous convictions against them, many of them being old offenders with bad records—living confirmations of the proverb, “once a coiner always a coiner.” Two received sentences of 10 years’ penal servitude, one 8 years’, nine 7 years’, and fourteen terms varying from 3

to 6 years'. The cost of mint prosecutions is comparatively light. In 1887 there were 67 cases, involving an outlay of £3837, whereas in 1898 the cost of such prosecutions was only £1364.

But this decline in the number of mint offences has no relation to crime in the aggregate, which continues to steadily increase. Here are a few figures extending over a batch of years :

Year	Treasury Prosecutions
1892	413
1893	455
1894	448
1895	468
1896	503
1897	517
1898	519

One must, of course, take the increase of population into account as well, although I am afraid we cannot derive much satisfaction from it. If we were moving in the right direction there should be a decided declination in the aggregate figures in spite of the increase of population, instead of an increase. It is, however, gratifying to be able to record an effectual and material diminution of so serious a crime as that of coining.

## CHAPTER XXII

### THE FORGER

FORGERS are among the most skilful of all classes of criminals. In their ranks are to be found some scientists of a kind. For many years there has been a keen contest of wit and skill in progress between bankers and forgers, and it is not at all certain that the latter have not a majority of "scores" to their credit. During this prolonged duel every step the banker has taken to subvert the scheming of the thief has been met and overcome by an equally if not more skilful device on the part of the latter. The bank thief is no ordinary criminal, he is a "speciality" in crime. So great, in fact, and successful have been his skill and daring that the bankers some years ago formed themselves into an association for mutual protection. There are no subscriptions in the strict sense of the word, the Bankers' Association being supported by voluntary contributions by the members for the purpose of meeting the expenses incurred. The association is represented by a firm of solicitors who institute prosecutions where necessary. They have a perfect system of locating the probable whereabouts of single or organised gangs of swindlers, whom they can pretty speedily track. Needless to say they work hand-and-glove with the police. When a robbery takes place it is pretty accurately known whose handiwork it is by

the method adopted. When one or more of the fraternity are released from prison the banks redouble their vigilance, for they expect "something." A thief will, however, sometimes purposely "lay low" for some time previous to trying a big *coup*. The senior partner in the firm of solicitors referred to one day gave me a complete forecast of the truth concerning the robbery at Parr's Bank while that affair was still shrouded in mystery. His theory was subsequently confirmed in every detail. (By the way this gentleman has since met with a tragic death on the railway near his home in Kent.) A favourite method of dealing with stolen bank-notes is to pay them over to bookmakers on race-courses. The "bookie" invariably knows the nature of the transaction and "winks" at it, incidentally giving much less than the face value for the note. In the case of the robbery at Parr's the numbers of all the missing notes were printed on slips of paper, and the latter handed round to the various bookmakers, who kept them in their books, and promised to assist the bankers in the matter.

Many of the cases dealt with by the association are, for some reason or another, never made public. I will describe one or two such cases. Not long ago an enterprising youth entered a new berth on a Monday ; on the following Friday he forged a cheque for £300 and departed. That was rather quick work, also startling. As is not unusual in crime of this kind he came of a respectable family. Restitution was made and the matter hushed up. But one marvels at such speedy and early launching into serious crime. In another instance a well-known baronet was robbed in a remarkable manner.

The gentleman in question had an office in the city, and a youth who had once been in his employ succeeded, by means of a trumped-up story, in obtaining the keys of the office from the housekeeper. It was after office hours, and gaining access to his former employer's cheque-book the youth forged a cheque for ten pounds. This he handed to a cabman to take to the Carlton Club to get it cashed in the name of his former employer, who was a member of the club. In order, however, to make assurance doubly sure he rang up the club on the telephone, confirming the message entrusted to the cabman by word of mouth. Curiously enough, this evidence could not be admitted, inasmuch as a voice over a telephone cannot be sworn to. The case never went into court.

It is very seldom that money stolen in this manner is ever recovered. Sometimes the solicitors are approached by friends of the culprits with an offer to refund a portion of the plunder if no steps are taken to prosecute, a suggested bargain which of course is never accepted. Another extensive case of forgery was discovered in a curious manner. The cheque-book of a well-known politician was stolen and no fewer than fifty cheques forged for various amounts, many of which had already been passed. It was found that one of them, for fifty pounds, had been cashed at a wine-shop in the Strand. Thither a bank clerk was despatched to interrogate the proprietor, whom he found seated at a small table, conversing with a stranger. The clerk went up to the proprietor and asked him how he obtained the cheque in question, whereupon the stranger nudged the proprietor's knees under

cover of the table-top. The clerk happened to see this, and the slight movement led to the capture of the forger. The proprietor was on the point of explaining how he obtained the cheque when, in response to the nudge from his companion, he pulled up, and merely said he would make inquiries. Naturally the stranger was suspected and followed, which led to a very bewildering chase. He was "shadowed" from place to place until he was eventually captured. He proved to be the forger wanted, and received a sentence of fourteen years' penal servitude.

The case where a note forger spilt a note in two is well-known. Here is another instance of similar remarkable skill. Before cheques were printed in vegetable ink, which makes it very difficult for a forger to tamper with the writing on them, some stupendous frauds were perpetrated. But eventually even the new ink was found to be insecure, so the bankers took to perforating the value of the cheque in the document. This at last appeared absolutely secure, but it was not. A cheque so treated was discovered to have had all the original perforations filled in with pulp and the cheque re-perforated for a sum many times its first value! The writing had also, of course, been altered. Strangely enough the man never repeated his feat, nor has he ever been captured, at all events not for that particular crime. But a forger while in penal servitude once confessed that he knew who did it, but as habitual criminals are notoriously of a bragging nature, and not remarkable for truth-telling, he was not generally believed.

The records of cases of forgery contain some



"RELATED TO THE WRITER A CURIOUS STORY."  
(Mr. Cecil Chapman.)



remarkable stories. Mr Cecil Chapman, the magistrate, once related to the writer a curious story in connection with a case of forgery in which he himself figured while he was still at the Bar. The case was known as "*Howe v. Burchardt*," and was tried before Mr Justice Wills, Mr Chapman being junior to his honour Judge Willis, for the plaintiff, while the late Sir Frank Lockwood represented the defendant. The claim was for the face value of a cheque for £1200, which the plaintiff asserted had been given to him by his late employer, Mr Burchardt, while the latter was on his death-bed. It was further stated by the plaintiff, Howe, an agent and coal-merchant in a rather large way of business, that the sum claimed represented moneys lent by the plaintiff to the deceased man, and also for other services rendered, the whole making up a somewhat romantic story. The case, which lasted several days, was characterised by several remarkable features, one of which was rather weird. It was necessary, among other things, to prove the signature on the cheque, and for this purpose an aged woman who had acted for many years as the deceased's housekeeper was called as a witness. She testified that she had been present in the death-chamber when the then fast-dying man had appended his signature to the document in question, in fact, said she, she had actually guided the man's hand during the operation. Having given this evidence she fell in a dead faint in the witness-box and had to be carried out of court.

The plaintiff was a bluff, outspoken type of a yeoman, and his romantic assertions received

what seemed to be indisputable confirmation on the part of a number of farmers, railway guards and porters, who appeared as witnesses on his behalf. So far his case seemed to be pretty strong, but when, however, it came to the question of the moneys which he declared he had advanced to the deceased the case took quite a sensational turn. In support of this part of the claim the plaintiff mentioned that he had at his home in Lancashire several promissory notes, which he had not thought it necessary to bring with him. One of these documents, however, was considered to be of vital importance, and in order to give the plaintiff an opportunity of fetching it the case was adjourned. The next day the note was produced, and found to be properly stamped at the time of the alleged loan. The date, though, could not be clearly distinguished on account of the note having been thrust on a file, the latter making a hole in the centre of the figures, leaving it doubtful whether the third figure was an eight or a nine. Counsel on both sides examined it, and it was then handed up to the judge, but nobody could decide as to what the figure really was. The plaintiff declared that the document had been on the file for several years. In the end the judge decided to take the document home with him and make a special examination of it. The test his lordship applied was very simple though quite effectual. The next morning he produced the note pressed between two pieces of glass, the edges of the hole having been carefully scraped down, when it was clearly seen that the figure was nine and not

eight, which proved that the document must have been manufactured several years later than the date of the alleged transaction !

This seemed to put an end to the case, but not so, for Mr Chapman's leader had another consultation with the plaintiff, who then declared that he had brought the wrong document by mistake, and that if the case were put back he would go down to Lancashire and fetch the right one. This was accordingly done, but by the morning a strange development had taken place. The plaintiff, instead of going down to Lancashire, made his way to Somerset House, where he tried to bribe one of the officials to let him have a note of the required date, having also tried the same game at the Temple Post Office. The venue of the case was then changed to Bow Street, where the man Howe was charged with forgery. Eventually, he appeared at the Old Bailey, where he was sentenced by Mr Justice Charles to nine years' penal servitude. During the civil action Sir Frank Lockwood, as was his wont on such occasions, made several sketches in court, one of which he presented to Mr Chapman. It represented the plaintiff and his leading counsel, and underneath was written, "Howe goes it ? "

While on the subject of forgery, I think it would be appropriate to introduce a few words about the handwriting expert. Although at one time considerable confidence was reposed in this class of evidence, it is no exaggeration to say that later experiences have served to entirely shake that confidence. Speaking personally, I have not the slightest belief in its efficacy. You may find

similarities in the handwritings of various people who are in no way associated with one another. There are plenty of people who make common use of the Greek  $\epsilon$  who use similar flourishes, and terminals, and conjunctions, who are all utter strangers to one another. The most superficial observer can find this out for himself. Let any body look through his ordinary daily correspondence and make some comparisons, and see how many cases of "forgery" he can construct. It would be both interesting and enlightening. Where life and liberty are at stake the evidence of a handwriting "expert" should not be admitted at all unless its evidence of guilt be completely corroborated in various other directions.

Briefly described, the method adopted is as follows. The Treasury hand over to the "expert" any documents found on the accused to be compared with those which may be incriminating. The latter then proceeds to make a most minute examination of all the documents, even employing microscopical aid, looking for similarities and wholly ignoring dissimilarities. In fact, the "expert's" doctrine is that a single similarity is worth a deal more than a score of dissimilarities. Considering the probabilities of a number of chance similarities being present, this system is fraught with the greatest possible peril to the accused. Of course, if it is a genuine forgery the "expert" will probably find the correct resemblances, but it is the fact of the existence of *chance* similarities, which may be converted into damning evidence of guilt against an innocent person (which has been demonstrated only too often

lately) that renders this class of evidence wholly unreliable.

Having discovered the supposed incriminating resemblances, the "expert" proceeds to tabulate these side by side on sheets of paper, and also to have the more striking similarities set out by themselves and enlarged by photographic means. Then he is ready for the witness-box, where he goes laboriously through the results of his researches, and points out the resemblances to the judge and counsel.

While the Beck case was on, I sought an interview with the Treasury expert, Mr Gurrin, when the following pregnant little incident occurred. Taking from a drawer a sheet of foolscap, filled in as I have described above, he proceeded to turn down the top of it backwards, so that I could not see what was inscribed thereon. He then invited my close attention while with his index finger he pointed out one after another similarities on both sides of the paper, the writing on the right-hand side of the paper being upright, or sloping backwards, and that on the left sloping forward. From top to bottom went he, tracing unmistakable similarities all the way. He then asked my opinion about it, and I promptly replied that I considered the writing on the right hand a disguise of that on the left. "Well," said he, "that on the right is John Smith's, and the other is Beck's."

Here was absolute and irrefutable confirmation of my contention, for all these similarities, as events proved, were *chance* resemblances! Nobody questions the *bona fides* or conscientiousness

of the expert, it is the *theory* which is all wrong. Until the expert can distinguish between chance resemblances and incriminating similarities such evidence is almost wholly inadmissible.

The handwriting expert is doomed. Already an official has arisen who usurps, as it were, some of his functions, and discounts his importance. This is the expert in inks. I first heard of him in connection with the prosecution of the poisoner Brinkley, in which case Mr Gurrin figured, and whose evidence the judge told the jury they were not bound by, but that they must "exercise their own judgment." It appears that this expert on inks is able to decide by analysis as to whether a given document is written in one or more inks, and whether the ink used is the same as that on other documents produced. Under certain conditions this might be invaluable evidence, or, under other conditions, it might be valueless. It depends on circumstances.

In addition to the skill of the forger, banks also suffer from the depredations of the thief technically known as the "snatcher." He is frequently a well-dressed American, this being a favourite crime of the States. His patience is inexhaustible. He will sometimes watch a bank for months on end, carefully studying the customers. At last the moment for action arrives, and in a flash it is done. He, of course, has confederates. The victim's "value" and movements have been accurately ascertained. He places the money on the counter, somebody draws his attention to somebody or something else, and when he looks round again the money has gone. Quicker than

I can tell it, the money has travelled from hand to hand and left the building. Nobody seems to know anything about it, confusion arises, and in that confusion the culprits seek and secure a safe exit.

But it is the forger whom the banker mostly dreads. One of the easiest notes to forge is our own Bank of England note from the simplicity of the design, even the watermark and paper being faithfully copied. The most difficult notes for the forger are Scottish and Continental notes on account of the precautions taken in the elaborate character of the designs and the number of different coloured inks they are printed in. But even Continental notes have been successfully copied, as the well-known Russian Rouble Note Case testifies. The forger was a Russian who did us the honour of taking up his residence and conducting his secret business on British soil. This Anglo-Russian alliance led to somewhat disastrous results—for the Russian. Whether it was the pricking of conscience, the pressure of fear, or the over-exercise of natural cunning, cannot be said; but this expert engraver committed an act of great indiscretion that led to his own undoing.

His bogus paper had been circulating freely for a good long time, during which he had gathered in a very respectable amount of other people's money, and caused the police—English and Russian—very much annoyance. Suddenly a happy thought struck him. He would help the police to hunt for himself! At once he proceeded to put this master-stroke of cunning into operation. He

sent a letter to the Chief of Police at Warsaw offering his services as a kind of Sherlock Holmes, stating that he knew the forger and his accomplices and their whereabouts. On a certain day the chief of the gang, he explained, would be at a given place in Russia, and directed that the authorities should promptly annex him, while he, the informer, would simultaneously "catch here the other one, his partner, in London." Well, this little plot miscarried to the extent that instead of following these directions the police turned their attentions to Sherlock himself, for they had not too much faith in outside aid. The result was quite satisfactory, for the one here in London was caught very soon after.

Zeal had its reward.

## CHAPTER XXIII

### THE TRADE SWINDLER

THERE are various ways of exercising the gentle art of obtaining credit, and the trade swindler knows them all. He is among the most audacious and incorrigible of criminals. Like the coiner he adheres tenaciously to his one form of wrong-doing—he is a “specialist” in crime. He never moves out of the commercial groove. In spite of the mischief he causes, and the trouble he gives the police authorities, he is invariably treated by the latter with a certain studied deference and respect, and from a psychological point of view he is certainly very interesting to us.

There is an undercurrent of grim humour in the dealings of trade swindlers, in the sheer audacity that is characteristic of them. Curiously enough, this form of crime finds many more exponents among women than men. As there is an association for the mutual protection of bankers, so there is a similar association for the mutual protection of tradesmen. It is called “The London Association for the Protection of Trade,” and the secretary of it is Mr J. H. Hadwen, who knows a very great deal about trade swindlers. The work of the association consists of unearthing these swindlers, bringing them to justice, and subsequently closely watching their career. In this way they have contrived to get some very old offenders on their books,

one hardy delinquent having had a run of over forty years, during the whole of which period he has either been an unwilling guest within one of his Majesty's numerous boarding establishments, or has been busy qualifying for such a position. The volume wherein the records of such swindlers are kept is called the "autograph-book," a large volume containing the handwritings of innumerable swindlers, in the form of letters, memoranda, order forms, etc., which have been accumulated from time to time. Occasionally this book is consulted by the police authorities, who find it far more interesting than any volume to be had at a circulating library. It is kept for reference and the use of the subscribers, who, of course, are all tradesmen. Supposing a subscriber receives an order by post—nearly all such swindles are perpetrated through the post—concerning the genuineness of which he is not satisfied, he will forward it to the association, and inquire whether they know anything about the writer. They then refer to the "autograph-book," and invariably they are able to trace a striking resemblance to the epistolary lucubration of one of their old "clients," and so warn the tradesman.

It is well-nigh a *sine qua non* that a tradesman shall give credit—in fact, credit may be regarded as the backbone of all kinds of business—and therein the professional trade swindler sees and seizes his opportunity. It cannot be charged against him that he is a malingerer, or that he desires to live either an idle or purposeless life; that he is not endowed with ambition, and does not desire to accumulate substance; that he has not a keen, pro-

found and innate knowledge of his fellow-creatures and an unshakable faith in their trustfulness. Indeed these qualities are the very tools of his trade, and serviceable weapons they are. He is always painstaking, industrious, persistent and large-hearted. When he is captured he accepts his punishment with philosophic calm, regarding his incarceration merely as a temporary interruption of the business of his life, to be resumed immediately it shall please the authorities to release him.

The first thing a trade swindler does is to assume a surface aspect of substance. Says he to himself, "Appearances are everything." And it is so. He furnishes himself with some high-class notepaper, which he has embellished with an elaborate crest, monogram and motto. In the selection of the last-named he proves himself possessed of a considerable sense of humour. I take a few specimens, culled at random from the "autograph-book." I will first give the originals and then follow with the translations. It should be borne in mind that they are all designed to appear on notepaper used by people who are laying traps for tradesmen and seeking to dupe on wholesale lines.

Originals	Translations
Post mortem virtus virescit	Virtue will flourish after death.
Canno Justitia.	Sing in praise of justice.
Aut Cæsar aut Nihil.	All or none.
Fidus et Audax.	Faithful and Daring.

The crests used are generally of an ambitious

kind, coronets and "lions rampant" being very common. All to inspire confidence and draw the unsuspecting fly into the web. Sometimes handwriting is disguised, different names adopted, and, of course, many addresses used. One particular lady favours watering-places, and to-day may be at Brighton or Shanklin, and later at Bournemouth. To every place she favours she carries her business instincts with her. Another lady who occupied a humble cottage in the country, and whose husband drove a char-a-banc, spent her leisure time in distributing large orders to tradesmen. She put a high-sounding name on her "wee thatch," reminding one of Belgravia and Buckingham Palace, and wrote in "swagger" style. She was either a lady "reduced," or had got a "gift." At all events, as soon as they discovered her existence they treated her with the greatest possible "respect."

Among trade swindlers are to be found the most contemptible of all knaves, and the worst form of them are not infrequently females. There was one lady whose "speciality" was servants—nurses and governesses. She was both clever and unscrupulous. In one afternoon she obtained ten pounds from two servants, which she was good enough to "borrow." In one instance she selected a governess who lived in a road that was "up," and presenting herself at the house "engaged" the lady, informing her she would have to join her at a certain address in the country. Then, in a diffident manner, she explained that the road being blocked she had been compelled to discharge the cabman who had brought her some distance away, and in

Writing Pathology -

In haste replying to your request  
I should with care for my friend  
to be troubled upon such a trifling  
matter of penmanship. —  
My young have repeating transposition  
with you when in London.  
hence my wish that you think  
and the telegraph as eliciting  
any account I had with you  
would be settled in this unusual  
course. —

Respectfully

"SOMETIMES HANDWRITING IS DISGUISED."  
(Trade Swindler.)

Mr. — — — — —  
Ras 8898  
M. — — — — —  
obl. be  
Obliged if Dr. — — —  
Robertson & Fleetwood



the hurry of the moment she was foolish or unfortunate enough to leave her purse in the cab. The governess, who was delighted at having obtained the appointment, was glad to be able to offer the lady a loan. Said the lady with considerable hesitancy, "Well, I hardly like to—hem—but it's awkward!" "Oh, do please take it, mum!" says simple and confiding Sarah, and a five-pound note passes between them. Both the name and address which the lady had given were fictitious, and the governess saw neither her money nor her "employer" again.

But all swindles which come under the notice of this association are not of that contemptible character. There is, for instance, that Irish gentleman who popped over here "just to borrow £50,000." That was all! And he played his cards so well that he very nearly succeeded in finding a victim. The latter's credulity was only equalled by the borrower's mendacity. To support his statement that he was a man of substance he made out a list of properties which were supposed to be realisable assets, the total value of which was enough to make a multi-millionaire's mouth water. Had it not been for the strenuous intervention of the association this enterprising Hibernian would unquestionably have "scored," for they had the greatest possible difficulty in convincing their client that the man of expectations had not a straw to float with.

The trade swindler depends a good deal upon his printing, and invariably has an elaborate show of hieroglyphics on his bill-heads and note-paper, and if some of them are not quite clear to the tradesman

it does not matter, for "where ignorance is bliss," etc. One of the most remarkable instances of a tradesman being led away or deceived in this manner was where the swindler used the mystic letters "C.B.U." prominently on his bill-head. The man was living in a single room, and used stationery of a most ornamental kind, adopting an elaborate name, telegraphic address, telephonic number, a motto, a reference to travellers—not to call too often for their accounts—and the letters I have quoted. The tradesman thought the latter had some reference to a bicycle union, but it turned out that they meant "Court of Bankruptcy. Undischarged." The man was an undischarged bankrupt. He purposely made use of them, anticipating trouble, and with a view of using them in his own defence. When arrested he put forward the plea that he had made no secret of his being an undischarged bankrupt, and that people were supposed to know it in view of the appearance of those mystic letters!—an ingenious defence which, it is not surprising to learn, did not prevail with the authorities, and the man received his deserts.

This trade swindling goes on far more extensively than is generally supposed, and the work of the association is constantly extending. But of course all those persons who are suspected of dishonest practices and who are not trusted are not necessarily proceeded against, they are merely "suspects." I knew of an ex-auctioneer who carried on a campaign against tradesmen for years with impunity, during which period he obtained all kinds of goods, even pianos, and disposed of them to his various and numerous acquaintances.

As the prices he asked were extremely low, all those persons who thus made purchases from him were privy to the dishonest transaction, as they must have known that no honest trader could possibly sell at such prices. They were, in fact, little better than "receivers." For all I know the man may still be flourishing in his nefarious trade.

As is pretty generally known, tradesmen also suffer considerably from the depredations of another class of swindler—namely, extravagant wives. Even so, yet not a tenth of the mischief worked by these innately dishonest women comes to light. I have a case in mind now where a man was brought to the verge of bankruptcy in this manner, and having thus shamelessly brought about the downfall of her husband she put a climax to her iniquities by abandoning him and taking herself off with another man, ostensibly with the purpose of continuing her profligacy with one better able to pander to it, and with adultery thrown in. Can one resist the conclusion that such women as these are sent into the world to be nothing but a curse to all mankind? The tradesmen of the West-end could if they chose tell a sorry tale of the machinations of these brainless society peacocks, who to bedizen their worthless carcasses ruin their too confiding and indulgent husbands, and mount up a destructive "loss account" with the tradesmen whom they honour with their "patronage." The law as it now stands is eminently incapable of dealing justly with this offence. A husband may make his wife a stipulated allowance for her personal needs and

prohibit her from further pledging his credit, but women of this class care not a hook-and-eye for this prohibition, and go on spending to their heart's content. They care not who pays, or whether the goods are paid for at all. They know *they* are safe, for the law protects them—heaven forgive the law ! The unfortunate tradesman is in a dilemma, for he dare not question his customer as to who is to pay, and so forth, for if he did madam would wax indignant and take her "patronage" elsewhere. Of course, if it ended there her departure would confer a decided advantage on the tradesman, but she in her vindictiveness would seek to alienate other customers more honest than herself, cliqueism being so powerful in our civilised life. The tradesman knows this, so does madam, and so she is enabled to plunder with ease and impunity.

If the wife has a separate estate, which very rarely happens, then, of course, process can be obtained against that. Both husband and tradesman are dupes of the harpy and have to grin and bear with it. There is, however, a remedy, and I really do not see why it should not be adopted. It should be made an indictable offence, a fraud, for any woman to obtain goods on credit to any amount exceeding the allowance made to her by her husband, just as it is an indictable offence for an undischarged bankrupt to obtain credit for a larger sum than twenty pounds. Sauce for the goose should be sauce for the gander. A woman must know when she is exceeding her allowance, and it is a guilty knowledge.

It is a curious condition of things truly. A man makes a purchase at a time when he is, or

honestly believes he is, in a position to meet the liability. Something happens, some misfortune which he was powerless to avert, and he finds himself in a state of impecuniosity. He is unable to discharge the debt, the creditor is pressing, he is dragged through the various unpleasant stages of county court litigation, giving his version of the affair to the judge. Possibly he may be believed, possibly not, and he goes to prison. When I put the question point-blank one day to his honour Judge Edge, as to whether it was not a fact that men who were unable to pay occasionally went to prison he was unable to deny it, although it is true he qualified it by saying that judges are not immaculate. But the ugly fact remains. Not a single individual debtor who honestly cannot pay should be found in prison. It is monstrous ! Just compare the two cases, and I think it will be admitted that some wide measure of adjustment is urgently needed. I suggest that West End tradesmen should combine to fight the female plunderer — produce a plain statement of the case, showing in clear figures the vast sums of money they have from time to time been defrauded of through the medium of this vile abuse of privilege. That would show in the most striking form the urgent need for effective legislation on the subject.

It seems that the gullibility, or perhaps I had better say the credibility, of British tradesmen has penetrated to all parts of the globe, for applications for goods on credit are received in England from the remotest corners of the earth. One man wrote from Klondyke to a piano firm in

London on one occasion asking them to kindly send him "a few specimens of their pianos on approval." He must have had a rather curious notion of what the instrument was like. The firm in question, realising the humorous side of the application, replied to the effect that they would be happy to comply with his request if he would first send them some specimens of his gold dust. No business, however, was done. Sometimes quaint letters are received from niggers. I remember a firm of tailors in a large way of business in London, whose trading name was "John B—— & Co.," receiving a letter from a coloured "gentleman" in the West Indies, which began "Dear Jack," and proceeded to order some clothes in most affectionate terms. However, I am afraid there was a woeful lack of reciprocity on the part of the firm.

It seems nothing can shake the universal belief in the average man's credulity. It took many years to even "disable" that hoary old fraud, the Spanish "prison swindle." A little while ago a man in this country was victimised by it to the tune of £500. It is worked by means of a letter, purporting to be written by a convict confined in a Spanish prison. The letter generally states that prior to his, the writer's, incarceration he secreted vast wealth somewhere, and if the addressee will forward so much to a given address to assist in recovering the property he will receive a share. Of course the writer is not in prison, nor is there any wealth. Curiously enough, not long ago such a letter was sent to the secretary of the above association, a gentleman who is engaged in exposing the fraud! That was into the enemy's camp with a vengeance!

Barcelona 19. 1900

Sir

Prisoner here for failure, I beg of you if you will  
me to redeem a sum of £ 22.00 in bank notes that I own  
a trunk which is in deposit in a station at Paris, and, so  
to come here and raise the seizure of my luggage, paying  
the Treasury the necessary expenses, in order to take possession  
of a bag containing a secret in which is closed the receipt  
the railway, indispensable to redeem the trunk.

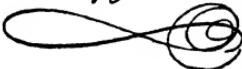
As amends, I will cede you the third of that sum.

As I dont know if you are at the same address,  
for fear that my letter will not reach you, I will wait your reply  
before to sign my name and instruct you all my secret.

I cant receive your reply in prison, but you will  
send a despatch, as below, to my ex-servant who will  
it to me safely:

Franco Pedro - Gista Telégrafos - Barcelona.  
Waiting your reply, I only sign:

Pb.



Above all, answer by telegraph and not by letter.

"A LETTER WAS SENT TO THE SECRETARY."



## CHAPTER XXIV

### THE POST-OFFICE THIEF

ONE of the most mischievous forms of dishonesty is that of the postman or sorter. But here again we find some blame attaching to the rate of remuneration.\* It is a suicidal policy to underpay a servant whom you are entrusting with a large measure of responsibility. Both postmen and sorters have a good deal of valuable property pass through their hands, and a large amount of confidence is reposed in their honesty. The duties of neither are particularly light, and their opportunities for being dishonest are many. Therefore, bearing in mind the universal weakness of poor humanity, to pay them meagre wages to occupy such positions is tantamount to, as it is expressed in the vernacular, "asking for trouble." However, it seems to be the rule in this land of civilisation and enlightenment of ours that those who bear the "heat and burden of the day" shall have least of the sweets of labour. Or as a certain humourist, taking liberties with the Scriptures, put it, "To those who've got plenty more shall be giv', and those who have nothink shall 'ave that little took away from them which they 'ave got."

In a vast organisation like the Post Office some form of espionage over the employees is indis-

\* The question of raising the pay of Post Office employees is now being considered by the authorities.

pensable, and at St Martin's-le-Grand is a secret service department, known as the "C. I. B.," or the Confidential Inquiry Branch, and it is through the medium of this private detective agency, so to speak, that dishonest postal employees are brought to justice. The working of this establishment was forcibly brought home to me one morning while standing in the unsavoury Police Court of Bow Street. The prisoner in the dock was, or rather had been, a postman. He was seedily attired, and exhibited an almost stony indifference to the piling up of the evidence against him. He seemed to be saying to himself, "Well, I know I've done all this, come as quickly as possible to the inevitable sentence." But the law took its own time and deliberately detailed the facts. The prisoner had in a moment of forgetfulness omitted to deliver certain letters entrusted to his care. The little hand of suspicion being pointed at him, he was subjected to a system of official espionage, with the result that he was "run to earth," which is melodrama for "conducted to the police station." When the case was complete and the man's guilt legally proved, the magistrate turned upon the prisoner a particularly stern look, and asked, "What have you to say?" The prisoner replied glibly, with the readiness of a previously much-rehearsed effort, "I plead guilty and throw myself on the mercy of the court." This was a kind of weak and forlorn attempt to mitigate punishment. Remarking on the serious nature of the offence the magistrate, with a gesture, consigned the recalcitrant one to durance.

Much the same sort of thing may be seen also

at the Old Bailey, where the more serious charges are dealt with. Sometimes a string of such offenders pass in and out of the dock, the business of taking the evidence and sentencing the prisoners becoming almost automatic in its regularity. The sentence seldom varies, and is delivered without much attention being paid to pleas for mercy or extenuating circumstances—"Nine months hard labour!" The prisoner turns on his heel and "goes down."

When one or more complaints are made as to the non-delivery of a letter or package exhaustive inquiries are set on foot, which may culminate in strong suspicion towards a certain employee, who is then placed under close surveillance. Efforts are made to discover the nature of his habits, whether he bets, drinks, has evil companions, in fact, whether he indulges in any form of extravagance which might tempt him to commit the crime of larceny. The inquiries sometimes lead to confirmation of suspicion, when more active steps are taken to prove guilt. If he is a letter-carrier a test letter is made up and dropped into a pillar box he will collect from. But this letter, the officials maintain, is in no way designed as a trap for a man, being just an ordinary letter with nothing about it to draw upon it the attention of a mercenary person. It is only when guilt is all but certain that this step is taken, and because the law demands such a proof.

If the letter in question, which has been designedly addressed to a certain destination, fails to reach that place, then the man is searched, and if the incriminating document is found upon him

he is, of course, given into custody. Sometimes it becomes necessary to search his lodgings, and in this way the proceeds of past robberies often come to light in the form of paper money which he has been afraid to negotiate. One naturally wonders why a thief should keep such incriminating documents about him, especially when they are practically useless to him. But perhaps there is just a latent hope that they may one day be of use to him, and doubtless he finds it hard to part with plunder to obtain which he has jeopardised his liberty. It is an unwise proceeding, though—but these be the weak criminals.

In this connection I recall a curious story which was related to me one day by Mr Baggallay, the magistrate. At one period of Mr Baggallay's experience at the bar, ere he was raised to the magisterial bench, he was counsel for the Post Office, and in the case I am now about to describe he prosecuted. The sum of £200 in bank-notes was one day stolen from an envelope while in transit through the post. The notes were of various values, one being for £100, and there were several for £5. Every effort was made by the police and the postal authorities to discover the author of the theft, but without avail. For ten years the affair remained a profound secret, then the truth came to light in a very startling manner. The numbers of the notes were known, and, as is usual in such cases, were sent round to all the banks. One day a man stepped into the Bank of England and tendered a five-pound note to be changed. The cashier at once saw that it bore the number of one of the missing 'notes, and

promptly challenged the man as to how he became possessed of it. The latter was taken aback, so the cashier decided to detain him. He merely asked the man to wait a little, and passed the information on, with the result that the man was held while inquiries were being made. When it was found that the man was a postman, the matter became grave. All further doubt was then laid to rest by the man making a full confession. He it was who, ten years before, had stolen the missing notes, and had kept them hidden all these years with the hope, nay, the confident assurance, that he would then be able to safely negotiate them, or at all events the smaller ones. But Nemesis caught him by the heel at his very first essay ! Upon his lodging being searched the remainder of the missing notes were found, hidden in various places, behind pictures, in tea-pots, and so on. A remarkable case of detection. The fruit of the theft had been ripening for ten years, and as the man held out his hand to pluck it, it fell through his fingers !

So far the Post Office and their methods in dealing with their dishonest employees—when there is tangible evidence of guilt. But when there is no such documentary evidence their methods are somewhat different, and not nearly so straightforward. A messenger from the Confidential Inquiry Branch waits upon the suspected man, and proceeds to “ draw him out ” in a very ingenious manner. The object is to cause the man to incriminate himself, and in order to induce him to do so the interviewer hints that it will be all the better for the man to confess, or assist his em-

ployers in the matter, as by so doing he will fare very much better than he otherwise would. Of course he will not, but that is a mere side issue. It is a process of "wheedling" a confession out of the man, or, at all events, something on which to base a prosecution. It is a most improper proceeding, and has several times been denounced by magistrates and judges. The Post Office must not be allowed to take the law into their own hands and apply an inquisition of their own conceiving ; they must not usurp the functions of a legal tribunal ; they must find some other way of inducing their servants to be honest. I have hinted at one method at the opening of this chapter.

In the case of suspicion falling upon a sorter, then one of their amateur detectives, disguised as a new hand, is placed to work near him, and keeps his Sherlock eye on him all the time. If the suspected one indulges in any actions unworthy of a self-respecting sorter, such, for instance, as holding a letter to the light or unduly "fingering" one, then the emissary from the detective department feels confident he is on the right track. If the sorter is seen further to secrete a letter anywhere, then, to employ a culinary though vulgar aphorism, the "fat is in the fire." He is promptly haled before the "powers," and unless he can satisfactorily account for his phenomenal behaviour, which he seldom can, then he is duly attended to as an "example," and may eventually be throwing himself upon the mercy of the Bow Street Court, or the court of the Old Bailey.

The telegraph department also gives the C.I.B.

some troublesome work, and some time ago they took up the prosecution of a man who committed a telegraphic fraud on a bookmaker. It was the old dodge of putting money on a winner after the race was over. One of the most extensive systems of fraud ever perpetrated on the telegraphic department of the Post Office was carried out by a number of employees, which was brought to light in a peculiar manner. The frauds were discovered, but the authorities were puzzled as to who committed them. They had in their possession a certain written document which clearly pointed to the author as one of the guilty persons, if not the sole one. The writing was familiar to them, but they could not determine whose it was. Now it is well known that at Christmas the Post Office takes on extra hands, and receives many applications for temporary work. Among the applications so received for the Christmas subsequent to the perpetration of these frauds was one from a former permanent employee who had left for some reason or other. The authorities were struck with the handwriting in the letter—it was identical with that in the incriminating document. They sent back a reply asking the writer to give them a call. He did so and was promptly secured and charged. The stratagem was successful, for it drew forth a confession involving others. Prosecutions and convictions followed.

Coin stolen through the post is, of course, difficult to trace, and can only be done in the case of a document accompanying the money being found. In this direction the officials complain bitterly of the incentives to dishonesty which the public

are constantly placing in the way of the employees. They will persist in sending coin by unregistered post. There are an enormous number of young men in the service who might thus be tempted and find it difficult to resist. It is certainly very foolish and unkind of people to offer this temptation, and considering how important to the public is honesty in the service, it is rather remarkable that they should do this. Taking into account, then, the ever-present opportunities for departing from the path of integrity and rectitude, and the large number employed, the degree of dishonesty in the Post Office is not by any means high.

A very interesting book might be written on the subject of mail robberies alone, which would be full of romance. Among the records at St Martin's-le-Grand are particulars of the careers of some redoubtable thieves. One of these was formerly in the employ of the Post Office, and for forty or fifty years he preyed constantly upon his former employers. Some of his exploits were simply astonishing. His first essay, though daring in conception, contained a flaw which led to his detection. It was, however, a mistake he never subsequently repeated. He profited by experience. At the time he committed his first crime he was employed at a provincial office, and he planned and up to a point successfully carried out the robbery of the mail he had himself assisted in making up. He knew that the messenger who carried away the mail-bag would have to catch a certain train at the local railway station. He had watched this man's movements and had noticed that he was in the habit, upon arriving on

the platform, of placing the bag against a pillar while he lighted his pipe. On the night of the robbery, which was a dark one, having seen the man depart from the office he followed in his wake, got upon the line, crawled along the metals, saw the man place the bag against the pillar on the platform, and, taking advantage of his momentarily turning his back, stretched forth his hand and quietly withdrew the bag from the platform, retreating with it under cover of the darkness.

When the man turned round again he was astonished to find the bag was gone ! The latter contained a bundle of what are known as "local notes"—that is to say, bank-notes payable only at the bank from which they issue. It was with these that the thief made his mistake. He had the temerity to walk into the bank from which they emanated—which was at a neighbouring town—and present some of the stolen notes for payment. Of course they had already been advised of the robbery, so that the man was at once arrested. That marked the start of a career that for enterprise, skill and audacity it were impossible to excel, if, indeed, it were possible to equal it.

One of his most remarkable "coups" was where he, impersonating an inspector from St Martin's-le-Grand, swooped down upon the postmaster at a country office, and, after having thoroughly intimidated him, succeeded in inducing him to hand over a large number of money orders, which he proceeded to negotiate. For this crime he was never arrested. His favourite plunder was

money orders, he going so far as to manufacture a date stamp with which to make them negotiable. In the case just referred to, however, he succeeded in inducing the perturbed postmaster to stamp the orders with the genuine stamp, which rendered his task much easier and more expeditious. His "hand" was traced in many robberies for which no arrests were made, and he was, in fact, for many years being constantly "wanted." Of course a man who has been employed in the Post Office starts with a considerable advantage in committing such robberies, having an "inside knowledge" of the methods he sets out to subvert.

The above criminal was also suspected of having "put up" the audacious mail-bag robbery at the Hatton Garden office, for which no arrest has ever been made. It will be remembered that one evening just as two bags of registered letters had been prepared for despatch, and were hanging up ready to be taken away, all the gas suddenly went out, plunging the place into darkness. When lights were procured, it was seen that both bags had disappeared! It was supposed that a boy or a woman, disguised as a telegraph boy, had contrived to get at the meter, and at the critical moment to turn off the gas. The robbery was then effected under cover of the darkness.

There are no forms of robbery which bring into play so much alertness, dexterity and audacity as those associated with the Post Office. And they do not seem to be in any way upon the decrease.

## CHAPTER XXV

### BLACKMAIL AND FRAUD

THE crime of blackmail is one of the most serious known to the law, and furnishes a very striking exemplification of what Schopenhauer denounces as the "innate cunning of the human mind." To threaten a person with shame and exposure or financial ruin by falsely charging him with reprehensible conduct is one of the most despicable and degrading forms of human wrong-doing. The unmerited suffering which may thereby be inflicted is incalculable. There are many ways of committing this crime, but perhaps the worst phase of it is the accusing a man of criminally indecent behaviour, inasmuch as it is a charge which is most difficult for an innocent person to disprove, and which, even when the culprit has been unmasksed and punished, still clings in a measure to the good name of the victim. As is pretty well known it is resorted to by a disreputable class of women in railway carriages for the purpose of extorting money from a nervous and apprehensive man. It is one of the most cowardly crimes conceivable. Many such cases have from time to time come under my notice, which, however, need not be discussed here. I have always made it a rule, where possible, never to travel alone in a railway carriage with a female. It is the only safe plan. The best way to deal with

such female miscreants is to metaphorically take them by the scruff of the neck. Face the charge boldly, insist upon a full investigation, and it will invariably be found that the "past" of the prosecutrix will convict her instead of you. In fact, in nine cases out of ten, she will disappear, if she can. Of course no woman but the most abandoned of her sex would bring such a charge as this against an innocent person with a view to blackmail, and it is the character of the woman which constitutes the only protection the man has. Naturally a man shrinks from facing such an ordeal, however innocent he may be, and that the vile blackmailer reckons on. But in the public interest it is the duty of a man placed in such a dilemma to do his best to expose and punish his false accuser.

Blackmail may take the form of either libel or slander, both of which are criminal offences. A man who is either libelled or slandered is not compelled to resort to civil process, he may proceed against his calumniator in a criminal court. It might be, for instance, that the offender was a man of straw, and to proceed against him in a civil court would be futile, so the only way to punish him would be to place him in the dock. I recall a very curious case of libel in which the perpetrator was "hoist with her own petard." A certain gentleman one day noticed a piece of paper nailed prominently to a tree close to his house. Upon examining it he found it contained a most malicious libel on his wife. He determined to investigate the matter and upon looking closely into the writing he noticed a peculiarly formed

capital letter L. It bore a striking resemblance to the figure two. Who could the author be? He scrutinised all the written documents he could find in his house with the hope of finding a clue, and, sure enough, in the butcher's account-book he saw several specimens of that peculiar capital L. The butcher happened to be a woman, and the gentleman then recalled the fact that they had recently had occasion to complain of the quality of the meat she had supplied them with. This was evidently the lady's method of retaliating, and so essentially feminine, " You run down my meat, I shall run down your character!" The husband took the bull by the horns and accused the woman of defaming his wife, but the lady butcher strenuously denied all knowledge of the document in question. The affair might have blown over had she stopped at that, but she was rash enough to take proceedings against her accuser, with the result that in endeavouring thus to prove her innocence she succeeded in demonstrating her guilt.

Another curious case where a litigant o'erleaped himself was where a man brought an action for libel against the executors of a wealthy man for asserting that a certain cheque bore a signature which was a forgery. In his evidence the plaintiff sought to prove the signature genuine by producing a letter written by the deceased man about a year before his death. The cheque was supposed to have been written a few days prior to his death. Now it so happened that the deceased had for some time previous to his demise suffered from gout, with the result that his signature had become materially

altered. This illness was unknown to the plaintiff, and a comparison of the two signatures did but serve to render the forgery obvious. Such are the slips and subtleties of the evidence of handwriting.

I have bracketed the crimes of blackmail and fraud, for they seem to me to be akin. Although the former may be occasionally inspired by a feeling of vindictiveness, it is usually committed for plunder ; the latter crime is wholly of a financial character. As I write the law is administering well-merited punishment upon a number of "financiers" at the Old Bailey. This term "financiers" is an elastic one, and is used as a cloak for all kinds of commercial swindling. The company law holds many loopholes through which the slippery, smug, well-dressed swindler can escape. The law is constantly reaching for these pests, but only very occasionally securing them. It is only when, emboldened by a long course of immunity from molestation, they became over-venturesome and get a toe over the dividing line that the hand of justice is able to grip them. It is no exaggeration to say that at the present time the police have their united eyes upon scores of these smooth-faced scoundrels in the city, only waiting an opportunity for the law to allow them to lay hands upon them. The incorrigible bucket-shop keeper, with his "salted" mines and mendacious prospectuses, is an unmitigated curse. His favourite prey are women and country clergymen, but I think, in the light of frequent exposure, even these ready dupes are becoming wary. While staying at a certain vicarage in the north of England some time ago I saw ample evidence of this persistent canvassing

of financiers. Scarcely a post arrived that did not bring one or more applications from company-promoters and money-lenders addressed to his reverence. One morning in the breakfast - room he opened several of these in succession, and throwing them down angrily exclaimed, " I am being continually pestered with such applications as these ! Do these people take me for a fool or a rogue ? " Your company promoter loves to get hold of a man who fancies he knows something about finance, as your bookmaker likes a " punter " who has a " system." It's simply a case of " sharps " and " flats." A man infatuated with his own ideas is likely to be blind to the mercenary motives underlying other peoples'. There is also such a thing as playing upon a person's cupidity, offering him a huge profit in return for a comparatively small outlay. Many a rogue has " feathered his nest " in that way.

One of the most remarkable cases of fraud that I ever heard of was that committed some years ago by a clergyman and a Government servant. The particulars of the case were furnished to me by Sir Charles Mathews, who characterised the delinquent as the " most remarkable criminal he ever prosecuted." The man in question resided in a provincial town, and in addition to being the vicar of the place was also a travelling inspector of schools. One day he called upon a member of his congregation, a widow lady, possessed of ample means, and laid before her a scheme whereby they both might reap a golden harvest. He stated that, as a Government servant, he had become possessed of prior knowledge of an impending Government

loan which was soon to be granted, whereby investors would receive ten per cent. for their money. He, he explained, as a Government servant, was debarred from investing his own money in it himself, so he proposed the following arrangement. She, the widow, should hand over to him the money to invest for her, he adding to it his own, so that the whole of the money should appear against her name. This would protect him, and they could both participate. He would make the investment and pay over the dividends as they were received. The lady consented, and handed over the money.

Time went on and the lady duly received her dividends. Her friends, however, seemed to have entertained some doubts or curiosity concerning the loan, and set about making inquiries. Before they had gone far with their investigation the lady fell ill of a serious malady, which necessitated a grave operation being performed. This, her doctor told her, might or might not be successful—that is to say, she might succumb under it. So the lady elected to regard it as her certain passing hence, and sent for the gentleman with whom she had invested her money to wait upon her in the capacity of her spiritual adviser, and prepare her for the hereafter. This he did, praying fervently for her recovery. The operation was performed, and the lady recovered. Thereupon her friends, who had held their investigations concerning the loan in abeyance during the illness of their relation, resumed their inquiries. The result of these was the discovery that the whole thing was a fraud, and that no such loan existed ! Then came the astonishing revelation. Not only had the school inspector drawn the money from the

widow, but had told a similar tale to various others of his parishioners in the immediate neighbourhood, from each also drawing money to invest. Altogether he had obtained a sum of something like £40,000, all of which he had lost upon the Stock Exchange !

To each person, as I have said, he told the same tale, and each one he swore to secrecy, as, he explained, should the truth leak out they would both be subject to unpleasant consequences. Thus, by means of this secrecy, he was enabled to defraud a number of people who were all near neighbours, and no two of whom knew that the other was participating in the "investment," but all individually thought they held the secret inviolate between themselves and the school inspector. The depth of duplicity displayed here is simply astonishing. The man was conscious, all the time he was praying for the widow's recovery, that it would probably lead to his downfall. He was sentenced to four years' penal servitude, and died in prison.

Another class of fraud, in which the criminal exercises considerable ingenuity in his operations, and proves himself possessed of the gift of taking pains, is the begging-letter and petition imposition. These offenders, who succeed in obtaining large sums of money by false pretences, arm themselves with a kind of "inquire within" for particulars concerning promising subjects for charitable appeals. It is an index-book containing a digest of the Court Directory, with supplementary observations, something after this style: "Belgrave, Duchess of, daughter of; widow of —. Married

on June 18— ; has four children ; three daughters and one son. Takes great interest in charitable institutions, presented B—— Homes with £1000 last year. Infirm—very religious." And so on. They are thus enabled to word their appeals in such a manner as to reach the weakest or most susceptible spot of any particular individual.

The petitions themselves are very elaborate documents, generally put together in official language and studied, legal handwriting. A few years ago an enterprising calligraphist of this class framed a powerful appeal to the inhabitants of Streatham on behalf of an unfortunate widow. The "facts" were set forth at the head of a sheet of foolscap, and a space left below for contributions, "with a power to add to their number," on other sheets of foolscap.. As matters turned out the supplemental sheets were not needed, as the petition was taken over in its early stages by the police, who also "provided" for its originator. The story told was very pathetic, sufficiently so, indeed, to bring tears to the eyes of a graven image. The "widow," it stated, supported herself by keeping a laundry, and one day, while delivering clean linen with horse and van, the former took fright at a train whistle and bolted, colliding with a coal van. The horse was killed, the van broken to pieces, and the widow's son of sixteen seriously injured. The damage was estimated at £45. The document was supposed to emanate from the Vestry Clerk, whose name was forged at the foot for 20s. Following this was—mark the cunning of the man!—a forgery of Messrs Rickett, Smith & Co.'s name for £2, 2s.—it was a coal van that was

supposed to have caused the damage—and a reverend gentleman's for £1, 1s. Then it went its rounds, about £13 to £14 having been collected when the police stepped in, uncharitably disposed. Of course the "widow" was neither grass nor grave-made, but merely mythical; the son was visionary, and the accident atmospheric. The "contribution" which the judge eventually gave the prisoner afforded him ample time during which to think out another scheme of a similar kind.

Many a skilful rogue has made "capital" out of human cupidity. In addition to those who seek to soar to affluence on "paper wings," there are also those who imagine they may gallop to riches on the back of a racing steed. The turf has been, and still is, a "happy hunting ground" for the fraudulent knave. Sometimes such frauds are, up to a certain stage, wholly successful, as in the case of the De Goncourt frauds, "Perfection Miller," and others. But there are those cases, where the plot fails almost, it may be, at the moment of fruition. One such case occurred a few years ago. A gang of swindlers took an office in the city, and drew up a fraudulent prospectus describing a new and advantageous method of backing horses. This was intended for circulation in the United Kingdom and on the Continent. They advertised for a lady amanuensis who was a linguist, and in reply received innumerable applications. Finally they selected an accomplished lady who knew several languages. She translated the bogus prospectus into various Continental languages, in the intervals of being made love to by one of she "syndicate," who represented himself as a foreign nobleman.

The lady became infatuated, and when the police "from information received," paid an unexpected call at the office of the "syndicate" she was taken into custody with the others. Her evidence being essential to the prosecution she was told that she would have to go either into the witness-box or the dock. At first she chose the latter and for some time could not be induced to alter her determination, until at length, wiser counsels prevailing, she consented to give evidence. The others were convicted and sent to prison. After they were released the "foreign nobleman" endeavoured to obtain from the solicitor for the prosecution some love letters which had passed between him, the ex-prisoner, and the lady amanuensis, with a view evidently of blackmailing her. But when the solicitor hinted that there might be "other matters" to go into he wisely refrained from pressing his request.

## CHAPTER XXVI

### MOTIVELESS CRIME

THERE is never any adequate motive for murder. The only circumstances under which killing can be justified is when the slayer's own life is at stake, and he kills in self-defence, because self-preservation is the first law of nature. Killing may also be reduced from the crime of murder to that of manslaughter where there has been great provocation, and the fatal blow has been delivered on impulse and momentarily. Killing under all other circumstances is murder unwarrantable and of inadequate motive. For lesser crimes there may be ample motive, which is invariably made manifest in the task of proving guilt. There are also crimes committed where the motive seems singularly inadequate in comparison with the risk incurred and the consequences which are inevitable upon discovery ; and there are crimes for which it is well-nigh impossible to discover any motive at all. It is mainly about the last-named class we are now concerned.

In the present chapter I propose to speak quite plainly on a delicate subject at the risk of incurring the displeasure of the supersensitive. Those who do not care, in the interests of our common humanity, to be confronted with plain home truths may avoid having their scruples disturbed by passing over this chapter.

I have from time to time sat in criminal courts and listened to cases which have to me presented insoluble problems. I have watched prisoners who have baffled my most strenuous efforts to fathom them—human enigmas. They seem to glide into the dock in a perfectly vacant manner, sit with the face of a Sphinx all through the hearing, and then glide out again to serve the sentence that has been passed upon them. The whole thing seems most painfully perfunctory. It may be accepted as a universal rule of reasoning that for every average human action, however small, there is a motive of some kind, whether it be adequate or not. Even lunatics are said sometimes to have method in their madness. Whenever a man commits a crime, of whatever degree of gravity, for which no motive whatever can be found it argues the existence of some mysterious mental disorder. It is certainly not the mental disorder which is generally regarded as insanity, for such prisoners as I have referred to above have been closely watched and examined by experts, who have failed to discover any of the symptoms which indicate the presence of ordinary insanity. Hence the law has no option but to consign them to prison as sane persons, "able to plead." Yet sane, in the ordinary acceptation of the term, they most certainly are not. What, then, is the nature of their malady ?

Their disaffection is one far subtler, more sinister, than ordinary insanity. It is a form of mental aberration induced by a sexual "demonstration." It is a sudden calamitous visitation, during which the victim commits purposeless deeds ; it is a

wave of all-powerful emotion which holds captive the mind and impels the victim to extravagant, illogical, and baleful acts. It is intermittent, transitory, and during its prevalence it obliterates all reasoning power, leaving in its train an aftermath of bewilderment and moral unconsciousness. I have seen prisoners in the dock bereft of all conception of their position, and when they have been called upon to explain or comment on their delinquency they have presented a front of perfect helplessness, as unable to account for their behaviour as anybody present in court. When they have been requested to "plead" they have hesitated in confusion as to what to say, scarcely comprehending the proposition. Frequently, I have been struck by the curiously lost, "detached" aspect of prisoners, their retrospective gaze, as though wrestling with some inner problem of the past and its relation to the present. This strange malady affects both sexes at all times of their lives, from the period of puberty onward. It is accountable for most if not all of the motiveless crimes committed, and in the case of women it usually culminates in the police court and a charge of "drunk and disorderly." A gentleman well known in London commercial circles confided to me a curiously painful experience he underwent at a certain period of his life, which would not have happened had he been living in a polygamous state, which his medical man very candidly informed him. Among our social laws exist many wretched fallacies. Monogamy is not the least mischievous of them. There is no question that there are many persons in our

prisons who should rather be in a home or an asylum.

One of the most curious murder cases ever heard at the Old Bailey was that of the French-woman, Miss Masset. Although her crime cannot be said to have been wholly devoid of a motive, yet the latter was about as inadequate as motive can well be. She was a woman of some intellectual attainments, earning a good living and living by herself in comfortable style. She was about the last woman one would have expected to be moved by the passion of lust ; she was apparently a cold, hard-featured woman, something of a "blue-stocking." True she had had an illegitimate child, but that was some years previously. Next door to her lived a young fellow, a medical student. For him she suddenly conceived an extraordinary predilection, and thenceforth her behaviour was well-nigh inexplicable. She must have been possessed of a perfect frenzy. One day she looked across the division wall or fence at the back of her house, and said to the young fellow whom she saw next door, "I'm going to Brighton for the week-end, will you come ?" The young fellow consented, and they arranged to meet at Brighton. On the day the appointment was made Miss Masset took her child away from the place where it was being looked after—it was in charge of another woman, who received so much a week for its keep—upon the plea that she was going to take it to Brighton. She did actually go to London Bridge Station with the child, accompanied by the woman who had had charge of it, who had conceived an affection

for the little one, with the ostensible purpose of catching a train to Brighton. Having, however, said good-bye to her companion and passed through the barrier she, instead of entering a train, made her way out of the station by another exit, taking the child with her. Having thus hoodwinked the whilom custodian of her offspring, she proceeded to murder the latter, depositing the nude body in the lavatory at Dalston Station. Then, with her hands red with the blood of her poor child, she hurried to Brighton and joined the man who was there awaiting her arrival.

While she was yet appearing at the police court, Mr Holmes, the well-known missionary, had her under his care, and saw a good deal of her in her cell. I had a chat one day with Mr Holmes about the case, and he assured me that not at any time did the woman seem to realise her position. One day, said he, she looked him straight in the face, and with a countenance of absolute calmness and conviction, said, "You know, Mr Holmes, I am not guilty of this deed." Mr Holmes also made a point of questioning the young man with whom she stayed at Brighton as to what transpired on that night, and as the young fellow described the experience to Mr Holmes, so the latter gentleman described it to me. I may not, however, set it down here, for there are limits even to plain speaking. Suffice it to say, that the whole affair was absolutely abnormal, and was characterised by the very extravagance of mental derangement. A terrible visitation.

If we look into this woman's behaviour, we shall find an entire absence of reason, logic, or ordinary

caution. From a given point she seemed to have lost complete control over her own volition. There was scarcely any motive for killing the child, which was no obstacle to the gratification of her desires. It was not even living with her. She could have carried on her *liaison* to her heart's content without anybody else being the wiser. No such thing as marriage was contemplated, that the young fellow vouched for. But even if it had been, the child was no great obstacle. It could not have been to save the small sum which she was paying for its keep—such a proceeding would not be rational. It could not have been to blot out the evidence of her former relapse, for that had been "lived down" years ago, and no particular odium attached to her then. Again, in her selection of a weapon she exhibited incredible folly. She took a large "clinker" from the garden of a house where she was known, which was readily missed and easily traceable to her; the weapon she left by the body as a connecting link, and, climax of blind folly, she took the child's clothes with her to Brighton, and having ripped off the facings and buttons, left them in a public waiting-room! From first to last, I fail to find the slightest trace of the conduct of a sane person, but on the contrary, there is ample evidence of the precipitate, perverse and unreasoning behaviour of one whose mind is unhinged. However rash a murder may be, one can invariably discover some reason, motive, ordered thought and logical behaviour when committed by a sane person, but in these "sexual" cases such characteristics are nearly always absent, which to my



"RIPPED OFF THE FACINGS AND BUTTONS."



*Clinker found in  
the Massett case*

"TOOK A CLINKER FROM THE GARDEN."



mind leaves but one alternative supposition—namely, the existence of some form of insanity.

I will now refer to another case, which seems to me to be on "all fours" with the above. One of the most peculiar prisoners who ever sat in the dock of the Old Bailey was Mrs Pearcey, who, it will be remembered, was convicted of and executed for the murder of a woman named Hogg. Here again we have the curious neurotic creature, the frenzied and unreasoning slaying. There was no reason that she should have killed the woman with whose husband she was intriguing—she could have gained nothing by it. She had free access to the man, who was a willing party to the guilty connection. It was not for plunder, for the poor woman had nothing with which to tempt the cupidity of anybody. These cases fill one with a vague misgiving. All through the case this woman's behaviour was most mysterious. While the police officers were searching her house, in the kitchen of which was the damning evidence of bloodstains, she was playing on the piano in the front room. It seemed incredible that that spare, fragile-looking woman should have been able unaided to have dealt as she did with one so much bigger and heavier than herself, and then afterwards to have wheeled her body in a perambulator for two miles! Such a proceeding betrayed the presence of the supernatural strength which is known to be possessed by the insane.

She was defended by Mr Arthur Hutton, and that gentleman assured me that she was the most mysterious prisoner he ever had to deal with, and that he has always entertained some vague doubt

concerning her. He wanted to try and get the charge reduced to the minor one of manslaughter, to work up a theory of some altercation between the two women on the fatal night—it will be remembered that the deceased woman had gone to the house of the prisoner, at the invitation of the latter, to take tea—that from words they got to blows, and so the tragedy happened (which, after all, might very well have been), but the prisoner would not consent to this, steadfastly refusing all aid of the kind. She was an exemplary prisoner, going doggedly and resignedly to her doom. That she was a woman of some refinement was clear, she being an accomplished singer and pianist; that she was also possessed of kindly instincts was proved by the fact that while at Newgate she fed the birds at her cell window with crumbs of bread regularly every morning. In an interview she had with one of her relations—I rather fancy it was her mother—just before her execution she vividly described the chaotic condition of her mind, how she had had a vision and seen a ball of fire, and other curious phenomena. But as is usual in these cases she was quite unable to give any reason for having committed the deed. As is well known she had an advertisement inserted in the papers containing these cryptic words, "have not divulged," and asking the Spanish papers to copy. It was really never satisfactorily cleared up as to whether or not she had a confederate. The inscrutable mysteries of the human mind!

In connection with this case I recall one pregnant little incident. I was chatting over the case one



"FOUGHT A VALIANT FIGHT FOR MRS PEARCEY"  
Mr. F. Freke Palmer.



day with Mr Hutton in his chambers, when he related the following experience. Before the case came on at the Old Bailey Mr Hutton, accompanied by several police officers, paid a visit to the house where the crime was committed, and inspected the kitchen wherein the victim was done to death. Even then there were traces of the tragedy about the walls. It was late in the year and the fall of the afternoon, the "between lights" period of the day when one feels most "nervy." Mr Hutton and his companions all stood silent in the death chamber, reconstructing in their minds the terrible deed of that fatal night, and gazing upon the half-obliterated traces of the fierce encounter. Suddenly a white face with staring eyes appeared outside the window and steadfastly contemplated them. With one accord they all jumped in their shoes ! Yet it was a very commonplace incident, merely the next-door neighbour peeping over the division fence out of curiosity. It was, however, rather startling under the circumstances, with the peculiar light, the stillness and general association of ideas. I know it made an impression upon me when I heard it related.

I append a letter written by Mrs Pearcey, on the eve of her execution, to her solicitor, Mr Freke Palmer, who fought a valiant fight for her.

*Letter from M. E. Pearcey*

" H.M. Prison, Newgate.  
" December 29th, 1888.

" DEAR SIR,—Just a few words to thank you for your kindness to me in this great trouble. I

know you have done all you could for me, and may God do the same by you. I find it hard to say what I intended to, I feel I cannot thank you enough for what you have done but believe me I am truly greatfull for all that as been done. I would much better die now than be in prison all my life. So dear sir, thanking you again for your kindness believe me to remain ever your debtor  
*(Intd.)* "M. E.

"To Mr F. F. Palmer.

"P.S.

" 5.30 p.m.  
*(sic)* " 22-21-90.

" DEAR MR PALMER,—My last request off you is for you to see Mr Hogg and tell him I received his returned order. I know his handwriting it is the last kindness he could have done for me on earth. Will you tell him I forgive him as I hope to be forgiven. But he might have made death easier to bare. Also tell him I am justly punished for ever thinking any thing about him.

" Dear Mr Palmer—You will kindly see him and tell Mr F. S. Hogg what I say. You will do this last kindness for me I know. "M. E.

" Monday evening, 5.55.

" Just had such a kind letter from Miss Hogg."

The incoherent character of this letter painfully indicates the distracted condition of this poor woman's mind—on the eve of a violent death.

I might go on adding to such cases almost indefinitely, particularly of the smaller crimes, all pointing to the existence of this uncanny malady.

From M. L. Kennedy  
Mr. M. Flynn, Plaintiff

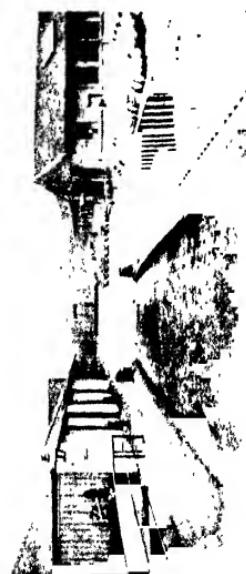
Sept 27, 1892

Dear Sir:

I enclose a few  
words to thank you  
for your kind words  
to me on my recent  
trial. I think you  
have done all you  
could for me today  
and I thank you  
very much  
Yours very truly  
M. L. Kennedy

ON THE EVE OF HER EXECUTION:  
(Pearcey Case.)

"HAD BEEN MURDERED ON SHORE AND HIS BODY  
CAST INTO THE RIVER."  
Bottom picture where deceased last seen. Top picture where body found.  
(M. Flynn Case Page 312.)





Mr Holmes has had about thirty years' experience in connection with police courts, and he declared to me that such cases as I have described above are very frequent, and that many times he has interceded on behalf of such prisoners and obtained special treatment for them. It certainly seems wrong that such wrongdoers as these should be sent to prison like ordinary criminals. It ought not to be difficult to differentiate between the normal criminal and the abnormal, and vary the treatment accordingly.

## CHAPTER XXVII

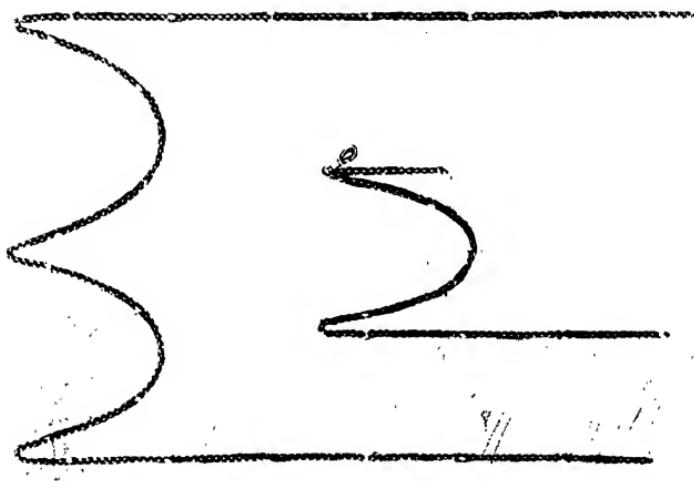
### CURIOSITIES OF EVIDENCE

EVIDENCE in criminal trials abounds in surprises and almost incredible coincidences. One is never more forcibly reminded of the uncertainty of life, and the strangeness of truth over fiction than when listening to evidence in a criminal case. In working up evidence against an accused person the police are sometimes confronted with almost insurmountable obstacles. Everything must be clear in a court of law, and nothing left to imagination. Hearsay evidence will not do, it is not sufficient for Smith to say that Jones *told* him such-and-such a thing, or that he *thinks* that so-and-so's the case, he may speak only from his own personal knowledge. It sometimes happens that the police are convinced in their own minds that a certain individual is guilty of a certain crime, yet in the absence of direct evidence they are unable to arrest him. Habitual criminals get to know in time of these difficulties in the way of the prosecution, and endeavour to turn it to good account. I remember a man being charged with suspicious loitering and with having burgling implements in his possession. As each witness for the prosecution gave his evidence the prisoner took him in hand and administered a severe cross-examination. His knowledge of legal procedure was suspicious, and pointed to the fact that he must have made a good

COMPARE THE CHAINS.



"PRODUCED A PHOTOGRAPH OF THE DECEASED."  
(Yarmouth Case)



"A LADY'S GOLD WATCH-CHAIN."



many appearances in criminal courts to have acquired it. The judge, of course, had the man's past record before him, and he looked at the jury with a peculiar twinkle in his eye, as much as to say, "Just wait a minute, gentlemen, and you will find he will say just a little too much." Which, verily, he did, for he blurted out the fact that because he was an ex-convict it did not necessarily follow that he was guilty of this particular crime. Then the judge's smile broadened. In the end the man was convicted, and turned out to be an old jail-bird with a very imposing array of previous convictions behind him.

Quite trifles will decide grave issues. In the Yarmouth murder case, when a woman was found strangled on the beach, a good deal of importance attached to a chain. In the prisoner's possession was found a lady's gold watch-chain which the prosecution asserted had belonged to the deceased woman, and had been taken from her by the murderer. But the defence declared that the chain was not the same one, and in support of their contention they produced a photograph of the deceased which had been taken while she was wearing the chain in question. It certainly at first glance differed from the chain produced, but the prosecution explained this difference as being caused by movement at the time the photograph was taken, which caused the links to become blurred. The defence, however, maintained that the links were quite different. In the end the jury accepted the theory of the prosecution, which doubtless was the true one.

Some years ago a schoolmaster was found murdered in his study. He had been hit over the

head with a blunt instrument. The assistant master, whom it was proved had been enamoured of his employer's wife, was arrested and charged with the crime. The theory propounded by the prosecution was as follows. At the time the crime was committed the pupils were playing in the open ground adjoining the school, and the assistant master was with them. The deceased had gone into his study to seek a little repose, and was dozing. The assistant, so the prosecution argued, left the pupils, crept noiselessly into the house, secured the weapon, made his way to the study, committed the crime, rejoining the pupils in the playground as though nothing had happened. The defence, however, were able, by means of timing the man's supposed movements, to make it appear as a physical impossibility for him to have committed the deed in the manner set forth. But the most pregnant evidence of all was that which turned on a mere trifle. One of the witnesses for the prosecution was a small boy, a pupil, who testified that he saw the prisoner emerge from the house and come up to the boys as they were tossing coins in the air. He exclaimed, said the witness, " You don't know how to toss coins, let me show you," at the same time taking hold of a coin and spinning it in the air. Whereupon the judge put this question to the witness, " Did the prisoner's hand shake ? " to which the witness replied that it did not. That practically saved the prisoner's life ; if the reply had been in the affirmative it would probably have sealed his fate. The judge argued that it was highly improbable that a man could come fresh from such a violent deed as that and toss a coin in

the air without his hand shaking. Opinions, however, will differ on this point.

When a verdict is once returned it cannot be recalled no matter what transpires subsequently concerning that particular crime. Montague Williams, in his book "Leaves of a Life," relates how a man, having been acquitted of a charge of murder, walked through the neighbouring village after his release holding up his hand, and exclaiming, "This is the hand that did the deed!" Nothing could be done with him for it. In this connection an amusing incident once happened at an assize court. I should explain that the particulars were supplied to me by Mr Walter Frith, who himself at one time practised at the bar. A policeman came across a man one night lying unconscious on the sidewalk; he having been brutally assaulted. Near by was an ordinary "bowler" hat. That was the only clue to the perpetrator of the deed. The police had their suspicions of a certain individual, whom they proceeded to interrogate. In addition to being unable to give a satisfactory account of his movements on the night in question, it was also found that the "bowler" hat in question fitted him like a glove. He was accordingly arrested and charged with the crime, the hat being the chief evidence against him. Counsel for the defence, however, dwelt so impressively on the risk of accepting the evidence of a hat which was so commonly worn by men of his class that the jury acquitted the prisoner, and he was discharged. Before leaving the dock he turned to the judge, and pointing to the hat in court, said, "My lord, can I 'ave my 'at?"

In the Ardlamont case a good deal of importance was attached to the relative positions of the three men, Hamborough, Scott and Monson, and the police in order to illustrate to the jury their theory of what happened had a number of photographs taken. The three men concerned were impersonated by three detectives, who took up different positions in the wood where the death occurred, and were so photographed, the detective impersonating the unfortunate deceased young man lying prone upon the ground, as though dead. But, as is well known, they failed to convince the jury on the subject.

One of the most remarkable instances of how evidence, circumstantial evidence, can miscarry, so to speak, and point in a direction diametrically opposed to the truth, was that in connection with the Sheffield industrial riots. During this period of strife a good deal of violence was used towards the "blacklegs," which included the throwing of explosive bombs. On a certain night a bomb was thrown into the house of a man who was regarded by the strikers as an "undesirable," which resulted in the man's death. At the moment of the explosion a woman in a neighbouring house happened to look out of her window, when she saw a man running hastily from the scene of the outrage. She was able to get a good view of his face, and also saw the sleeve of his coat catch on a protruding hook outside a butcher's shop. Tearing himself free from this he disappeared. But with the assistance of this woman the police were able to arrest the man, who was immediately identified by the witness. On the meat hook outside the butcher's shop the police found a piece of cloth which had been torn from



"MURDER . . . ON THE BEACH."  
(Yarmouth Case.)



"IMPERSONATED BY DETECTIVES."  
(Ardlamont Case.)



the fleeing man's coat sleeve ; the coat sleeve of the man arrested was torn and a piece of cloth missing, which was found to be that on the hook outside the butcher's shop. There could be no doubt about it, the cloth was precisely the same and the piece fitted exactly. This seemed conclusive evidence in all conscience, yet it was entirely misleading as subsequent events proved. It was quite true that the man in question was running from the scene of the outrage as the woman declared, it was also perfectly correct that his coat caught on the hook outside the butcher's shop, that he tore it away and disappeared. But he did not throw the bomb ; he, however, saw the man who did, and he was simply running away for *his own protection* !

The late Baron Huddlestane—the “Last of the Barons”—used to tell a very remarkable story of curious evidence. Some years ago, when robbery was regarded as a capital offence, a man was charged with the crime, which was coupled with violence. During the course of the trial a stranger called at a neighbouring inn, who apparently was holiday making. He questioned the landlord as to whether there were any places of interest he might visit in the neighbourhood, and the landlord replied that there was the assize court close handy, and that he should be pleased to obtain admission for him through the medium of a friend of his, who was an usher there. The visitor accepted the offer and they accordingly were admitted to the court. At that moment the prisoner who was charged with robbery with violence had been convicted, and was being asked by the judge

whether he had anything further to say, when he replied that he was innocent, and that at the time of the occurrence he was miles away from the place. The judge commented that he was unable to prove this, when the prisoner suddenly caught sight of the stranger just entering the court, and pointing to him exclaimed, "Yes, there's a man that can prove it! Ask him! On the day in question I carried his portmanteau on to a vessel at Dover. It came open and a toothbrush fell out, and I put it back after it had been wiped. Ask him!" The stranger, who appeared taken aback by this sudden recognition, was referred to, and said he was unable to remember the incident at the moment, but that if he were allowed to refer to his diary he would be able to say for certain. His diary was fetched from the inn, and the date of the crime turned up, when sure enough there was an entry in confirmation of the prisoner's story. Upon the strength of this the prisoner was discharged. Subsequently, however, both men were hanged for sheepstealing. The visitor to the inn was merely a confederate, and the alibi was a "got-up" affair.

Human "doubles" have, from time to time, played important parts in the matter of evidence. From general experience it would seem that Nature, during certain periods when she is apparently possessed of a spirit of mischief, becomes an ardent disciple of duality, and loves to turn out her subjects in pairs, with sometimes amusing, sometimes disastrous consequences. In imagination one can see the soulful dame shaking with laughter at some droll complication resulting from her wilfulness, or knitting her brows in per-

plexity and dismay at a human tragedy due to her waywardness. Novelists and dramatists have laid this curious trait under profitable contribution, and if our police were not so obtusely unimaginative and so mischievously creative, they might have found a satisfactory explanation for many so-called crime "mysteries" in this direction. Remarkable instances of human "doubles" may be traced back for many years. There was the extraordinary case of Martin Guerre in the sixteenth century, and the tragic story, writ large in the annals of French crime, of Lesurques and Dubosq, which has been given sinister fame in this country through the medium of the stage.

Scarcely a day passes but is brought to light some extraordinary case of personal resemblance, resulting in a complicated situation, either tragic or trivial. Many people are walking about, free and independent citizens, of whom some evil shadow exists, and requiring only a certain set of circumstances to bring them into disastrous association. I remember a "situation" in an old Surrey melodrama, where a supposed murdered man walks briskly into a court of justice, where a man is being tried for bringing about his demise, thus frustrating the machinations of the "evil genius." The idea seemed grotesque in its wild improbability, but not long ago a case was reported where a man was found drowned, and was "identified" by his "wife," who subsequently drew his insurance or his club money, only to be confronted a few days later with her genuine husband, the real "Simon Pure," who was neither dead nor "gone before." There was also a case

quite recently of a woman who for years had been living with a man under the impression that he was her husband, when suddenly she found out he was not! A modern *Martin Guerre*.

Mr Paul Taylor, the magistrate, one day related to me how he had repeatedly been taken for a one-time popular music-hall vocalist. While walking along the street in the neighbourhood of Southwark one day a rough-looking man came up to him and accosted him thus, "Hullo, guv'nor, goin' to stand us a drink?" Mr Taylor remonstrated with the man and told him to be off. Whereupon the fellow exclaimed, "Garn away, Godfrey, don't come it!" He had taken the magistrate for the late Charles Godfrey, who was at one time very popular about that part of London. Mr Taylor has also been taken for the barrister, Mr George Elliott, and that at a time when Mr Taylor was himself still at the bar.

This sort of duality is very disturbing, and the possibilities in it are infinite. I have been repeatedly pulled up with a jerk in the streets by resemblances most astonishing. There is a certain judge's clerk who up till recently had a remarkable "double" who was in the same profession. I knew and still know the one as a familiar acquaintance, and have so known him for many years, but one day in the Temple I accosted his "double," who was an utter stranger to me, and found it difficult to disbelieve the evidence of my own eyesight. Recently I was informed that one of these "Dromios" had died suddenly, and I was given to understand that it was the one whom I knew, and I was satisfied that it was so. I am

not at all sure, by the way, that their names were not the same, although they were in no way related. Well, never doubting the accuracy of my information concerning the decease, I imparted the information one day to Mr Taylor, who had also known this gentleman for some years. Subsequently, while sitting in the Old Bailey, I saw a face protruded through one of the doors that gave me a cold shiver down the back. It was the face of the gentleman "who was dead." Now, thought I, is this some figment of the brain, is it really the gentleman I know in the flesh, or is it the "other one"? Having made inquiries, I was glad to find that the survivor was really the gentleman I knew, that, in fact, he was happy and smiling, and had no idea of dying. It must have been the "double" who died.

While on the subject of evidence it will not be out of place to mention the cost of some prominent prosecutions. I take them haphazard. Walter Horsford, of St Neots, who was convicted of murder (he was a poisoner), ran up a bill of £283, 16s. 9d. (I do not know what the ninepence was for); Dr Collins cost £1517, os. 6d.; Dr Whitmarsh, £152, 11s. 2d.; Kate Marshall, £37, os. 6d.; the Lupton case, £1178, 16s. 7d.; the Honor-Monson case, £138, os. 7d.; Lord Neville (first prosecution), £117, 3s. 10d.; Mrs Dyer, £268, 4s. 9d.; Miss Kemphill, Liverpool, £20, 11s.; Muswell Hill case, £179, os. 8d.; Balfour prosecution, £14,036, 11s. 11d.; and the Jameson case, £14,004, 6s. 2d.

The cost of evidence varies according to its nature.

## CHAPTER XXVIII

### “SCENES IN COURT”

NEWSPAPER reporters have a happy knack of ignoring the most pregnant and interesting details of a criminal trial, and being gloriously inexact and inaccurate in what they do report. It is rather a pity that reporting should be done in such a perfunctory and incapable manner, and much that is injudiciously included in such reports might advantageously and wisely be omitted in favour of more psychological matter. The late Mr Braxton Hicks, the coroner, used to keep the newspaper reports of his cases systematically arranged in large file-books. One day, while in conversation with another coroner, I mentioned this fact, and asked him why he did not do likewise, and his reply was, “What is the use, they are never correct!” I am afraid his contention was justified.

In turn all the emotions are played upon in criminal trials. “Scenes,” too, are not confined to the court itself. Many a time I have witnessed moving little incidents being enacted in the corridors and on the staircases of the dismal old courts of the Old Bailey while making my way out after the conclusion of a trial. Weeping women and sad-faced men, bereft of those near and dear to them, perhaps for a lengthened period, possibly for ever, may be seen consoling and con-

doling with one another. Always the spectre of the unmerited suffering inflicted upon the innocent dominates my mind and will not be exorcised. I once remember a group of prisoners being charged with fraud, among them a refined-looking woman. They were remanded on bail, and outside on the sidewalk one of the men stood deedily talking with the woman. It was easy to perceive that fateful words were being exchanged. The next day the man in question pleaded guilty, took the onus of the crime upon his own shoulders, and so brought about the release of the others. I witnessed on one occasion, a woman being condemned to death. Her face was photographically impressed upon my mind. The woman was subsequently executed. I have an indelible memory for faces. It is no exaggeration to say that once I have seen a face I never forget it. Some time after the condemnation referred to, I was travelling through London in an omnibus when I noticed sitting opposite me a woman dressed in deep black, and wearing a settled sad expression. In a flash the scene of the condemnation arose before my mind's eye ; the woman in front of me was the very prototype of she who had so summarily gone to her account ! The likeness was distinctly of the "family" order. A sister ? It might have been mere coincidence, but the combined circumstances warranted a more tragic assumption.

I was present at the trial of the last person to be hanged within the precincts of Newgate. It was that of a young fellow for the murder of his sweetheart. During the hearing an incident oc-

curred which was full of deep pathos. For purposes of identification the prosecution called the prisoner's young sister. She was one of those timid, nervous little creatures, who had probably never seen the inside of a court of law before, and as she made her way, almost fearfully, to the witness-box, she gazed appealingly about her in a dazed manner. The witness-box faced the dock, and as the witness turned about in it, she for the first time came face to face with the prisoner, her brother. Counsel had put one question to her which she had answered timorously, but before he could put a second question the eye of the witness caught the figure of her brother between jailers. Her little hands went up to her face, her whole body shook with uncontrollable emotion, and she collapsed in a corner of the witness-box. It was but a small incident, just a little bit of human nature that moved the whole court to its depths. Even the stern-faced judge threw himself back and gazed with ineffable commiseration on the suffering child. The prosecution offered a kind of an apology, but explained that the evidence was deemed necessary. Justice can be very cruel at times. Surely such a step might have been avoided. Time can never erase that agonising experience from the memory of that poor child.

It is not, however, all tragedy within the walls of these grim places. Now and again, one gets a legitimate laugh, albeit none too frequently. During the trial of the Kentish Town baby-farmers, an amusing little incident occurred. A small boy, the son of a policeman, was called as a witness,

and deposed that he was instructed by his father to follow, to "shadow" one of the women who was suspected of guilty conduct. He was a small, "perky" boy, and gave his evidence in a jerky, businesslike tone of voice, he doubtless having been well schooled by his official parent. He had got his evidence "pat," and gave it off in that stereotyped manner so familiar to police constables while in the witness-box. Having been disposed of by counsel for the prosecution he was about to make his way out of the box, counsel for the defence having intimated that he had no questions to ask, when the latter gentleman, apparently thinking better of his decision, rose to his feet and detained the witness. Naturally everybody thought that counsel was going to ask the witness something bearing on the case, but what he said was, "I suppose you are going to be a policeman?" To which the small boy replied, with his customary briskness, "Yessir!" and retired to a ripple of merriment.

Another case in which laughter was conjured up, "holding both her sides" was where three rough-looking men were charged with attempted burglary. It appeared that a police constable had one night caught the three men outside a public-house, standing on one another's shoulders, forming a kind of human ladder, the top man thus being able to look through the fan-light over the door, and through which he was investigating the interior. In this interesting situation, Police Constable XYZ, so to put it, came upon the scene and requested an explanation. The latter was not forthcoming, and a scrimmage

ensued, during which one of the prisoners fired a revolver at the constable, happily without seriously injuring him. All the prisoners pleaded "not guilty," and the prosecution proceeded to make out their case. The evidence was simply overwhelmingly conclusive, and it appeared a mystery how any of the prisoners could have imagined for a moment that they had the remotest chance of getting off. Evidently this conviction forced itself upon the mind of one of the trio for, to everybody's amusement, he suddenly blurted out, "Wot's the good o' beatin' about the bush! We did mean to break in, but not that night, we wos on'y seein' 'ow the land lay then!" Then the others in turn followed suit, and all thus altered their plea to one of "guilty." The judge was immensely tickled, and said he, "After that brilliant speech for the prosecution, I do not think there is much more to be said." But that little took an important shape, and consisted of a sentence of penal servitude for the one who fired the revolver, and imprisonment with hard labour for the others. And that was the end of the laugh.

It is a poor heart that never rejoices, and amid all the gloom and sordidness of a criminal court it is well to find material for laughter. Sometimes the judge himself furnishes it, consciously or unconsciously. I recall an instance of the latter kind. At the beginning of the sessions at the Old Bailey a good deal of work is got through by the judge who takes the small cases, and it may be this fact that accounted for the confusion of thought which I am about to describe. One of the prisoners

was charged with stealing a camera, and after all the evidence had been taken his lordship proceeded to sum up to the jury. He began by correctly describing the stolen article as a "camera," but had not gone very far before the camera had become a "concertina," and by the time he had finished the concertina had become an "accordion." And he never once saw his mistake. The usher noticed it at the first "trip," and kept repeating in a kind of hoarse stage-whisper, "Camera!—Camera!" but his voice never reached the bench, and so the complicated article remained on record.

It is a generally accepted fact that women undergo the ordeal of the dock far better than men, and I have witnessed repeated instances of it. A man will collapse quicker than a woman. It is a curious trait, this, but I suppose it is that a man's nervous system is more highly strung and sensitive than a woman's, and his moral responsibility is keener. When a woman has made up her mind to remain firm through such an ordeal she manages to steel her nerves most effectually, and to maintain her outward composure to the very end. It was so in the case of Mrs Chard Williams, the Battersea baby-farmer. Small, neat, slim, and ladylike, she, to employ a euphuism, "never turned a hair" all through the hearing. Pale but composed, she sat facing the jury with the obvious intention of creating the best possible impression upon their minds. It will be remembered that her husband was charged with her, but it was clear to see that as the net was being closed round her he was escaping through its meshes. There was never any case against him. But that the female

prisoner did succeed in creating a favourable impression on many in court was demonstrated by a near neighbour of mine, who seemed to be quite indignant that the man was escaping and the woman being brought to conviction. It was merely a matter of appearance and outward bearing ; one felt sincerely sorry for the man. It is of course naturally repugnant to see a woman charged with such a terrible crime, and condemned to meet so revolting a fate herself. It seems to take the form of a positive outrage on one's preconceived instincts, and is altogether a painful disillusionment. It is a most deplorable, yet nevertheless an indisputable, fact that some of the most execrable crimes of violence to be found in the Newgate Calendar have been committed by members of the "gentler sex." It constitutes a sanguinary and ironical commentary on that established distinction. It is a mere perversion of terms. When a woman abandons herself to crime she seems to recognise neither limit nor degree. She is wholly and uncompromisingly deaf and dumb to all the better feelings of humanity. In the case under notice some of the details positively made one's blood run chill. It is no exaggeration to say that the whole court shuddered at some of the revelations, during which the most composed person present was the female prisoner herself.

I recall a grim incident during the run of the trial. The prisoners were charged with the doing to death of one particular infant, whose body was found floating in the Thames. It had been trussed like a fowl with string, and then done up in brown paper. The police, in order to show how they

found the body, made a model of it with canvas and sawdust, tying it up with string just as the original had been. This model, or doll, as it were, was produced in court, and really bore rather a striking resemblance to the genuine article. It was handed round to the jury for their close inspection, and as the article was thrust rather unceremoniously under their noses by the usher they instinctively drew back with a look of repugnance. Of course it was merely the idea, it was just canvas, sawdust and string.

One of the most trying periods in a criminal trial, especially a trial for murder, is that between the retirement and the return of the jury. It is the most trying for everybody concerned, particularly the prisoner. If you have followed the course of the case from the opening, by the time this stage is reached your nerves will have been strung up to almost breaking pitch. The tension is painful. I can only describe it by comparing it to that oppressive feeling one experiences upon the approach of a summer storm: the air seems charged with electricity. If it happens to be a woman being tried for her life the suspense is all most unendurable. I have had to leave the court on such an occasion, being quite unable to contain myself. Human nature is human nature anywhere, all the world over, and presumably always will be. Of course it may be that you are so far "case-hardened" that you will not experience such distressing feelings, but to me human nature is always very human. In spite of the innumerable times I have heard the death sentence delivered, it never fails to thrill me most unpleasantly. I

think it is a very terrible ceremony. But I anticipate—I shall deal with this topic in another chapter.

That the period I refer to is trying to the accused is invariably demonstrated by their appearance when they are brought back to the dock—they are taken below during the absence of the jury—to hear the verdict. In the case under notice the woman's face had gone a shade more pallid, and her hair was somewhat dishevelled. It was clear that a terrible inward struggle was in progress. Pallid with the grey pallor of the grave, she seemed to be already a creature of the other world. The moment was a fearful one ; the air seemed too close to breathe in, and one broke out in a cold, clammy sweat. Will they never give their verdict ? At last the question, and the fatal answer " Guilty ! " Someone in the gallery emits a sudden scream as though from the pain of a physical blow, and there is much sobbing in court. The innocent are suffering. The prisoner is dumb with the intensity of the struggle, she sways to and fro, and her face is that of a corpse. The judge, grave-looking and nervous, dominated by the square of black cloth, leans forward and with a " grip upon himself " delivers with an effort the terrible words of the death-sentence. " May the Lord have mercy upon your soul ! " it concludes in an awed whisper, and the chaplain, standing by his lordship's side, says " Amen ! " And the hand of Death has clutched the heart of the palsied figure in the dock. She is appealed to to speak, but her glutinous lips, although they essay something, fail to articulate. She is appealed to again, she mumbles something, and then collapses.

The struggle is too great. The wardresses gather round her, she staggers back, and is conducted down the steps and on her way to eternity.

Such scenes are but too frequently to be witnessed.

## CHAPTER XXIX

### SOME MYSTERIES

IN all the ramifications and labyrinthine windings of the criminal world that which impresses us most and lives with us longest is the deed of mystery, the undiscovered homicide. There is such a play for the imagination therein, and an uncanny uncertainty concerning the whereabouts and movements of the mysterious assailant. Why, we might be rubbing shoulders with him any day, and doubtless we do without knowing it. London is a wonderful hiding place ; if the secrets of this modern Babylon were all laid bare what a crop of surprises we should be treated to ! How the "honour" and "integrity" of some men would fall away from them ! Even now men familiar with criminals and criminal methods can point out doughty offenders as they pass to and fro in our streets in a variety of disguises. All are more or less "respectable," and their real identity quite unknown to any but the keen-eyed criminologist.

Such thoughts as these arise in one's mind while contemplating the subject of criminal mysteries. In a single chapter it is quite impossible to do anything like justice to this subject, which would require an entire volume to itself, so I shall content myself with presenting the circumstances of a few mysteries which have never been cleared up, and which all constitute undeniable contradictions of

the fallacious proverb with which I have already dealt—namely, that “murder will out.”

A few years ago an old man was found murdered in his own workshop. He had been hit over the head with some blunt instrument. The circumstances were most perplexing, and have never been adequately explained. It had been the custom of the old fellow to fasten himself in the workshop by means of a staple fixed to the folding entrance doors, and which ran into a slot in the ground. When these doors were closed and so fastened it was impossible for anyone to get in without the man first opening the doors. The police made a model of these doors, showing their working. The old man being missed he was sought in the workshop, forcible entrance being effected. He was found lying dead on the floor, he having been hit with one of his own tools—a mallet, if my memory serves me. But the curious part of it was the doors were found fastened. How had the murderer got in, and, having committed the crime, how had he contrived to escape leaving the doors fastened? There were no windows. The police accounted for the first portion of the problem by supposing that the murderer had secreted himself inside the workshop during the old man’s temporary absence. But how had he escaped? There is only one answer to that, so far as I can see. It might possibly have been that the murderer, in making his exit, pulled to the doors behind him and the staple happened to fall into place accidentally. Otherwise it is a profound mystery. He could not have gone up the chimney as there was no fireplace. Again, the motive for the crime was hard to find.

There was no evidence of robbery, nor could they discover any trace of a person who bore the deceased man any animosity. He certainly did not commit suicide, as it would have been a physical impossibility for the man to have delivered the blow himself. However, there it is for the reader to "worry out" himself. The man was dead right enough, and his murderer has never been brought to justice. You and I may have shaken hands with him many a time.

In the early "eighties" a police constable was found shot outside a house known as "The Knoll," Kingston Hill. The culprit succeeded in making good his escape and has never since been captured. It was clearly the work of a burglar, who had been disturbed by the constable while at "work." A theory was constructed by the police, who also drew a plan of the house, ground and elevation, marking where they supposed the burglar stood when he fired, and where the constable's body was found. The burglar apparently fired from a side window, and in a low brick parapet at the side of the front door was a hole where a bullet had penetrated. The plan was drawn to scale, every window and door being marked. The police still have this in their possession, also a bullet found near the spot, and are ready to produce them at any moment that it should please Time the Avenger to deliver the murderer of their comrade into their hands. But Time seemingly is no great believer in the proverb of "murder will out," and is obstinately conservative concerning his guilty secrets.

On the 28th of September, 1896, the body of a docks' policeman, named M'Flynn, was found

floating in one of the basins. It was found that he had been murdered on shore and his body cast into the water. Who had done it? No amount of inquiry served to throw any light on the matter, or at all events it threw very little light on it. They found a bloodstain on a certain doorpost, and this portion of the post they had cut out. The deceased was a sergeant, and a bit of a martinet to those beneath him, and it was generally believed that the crime was committed by one or more constables with whom he had been dealing harshly. However, it has never been cleared up, and probably never will be.

Some years ago a mysterious crime was committed at Kingswood Rectory, Reigate. The rector and his family had gone away, leaving the house in charge of a Mrs Halliday, who was the wife of the parish clerk. One night she went to bed as usual, and the next morning was found dead—murdered. She was bound hand and foot on the bed, and in her mouth some sacking had been stuffed, which had suffocated her. An examination of the premises soon revealed the fact that the crime had been committed by thieves. The fact that they had taken nothing with them pointed to the supposition that they must have been disturbed. Now the village schoolmaster lived opposite, quite near, and on the night in question he returned home rather late, and slammed his gate as he went in. It must have been this noise which alarmed the burglars at a moment when they had succeeded in silencing the unfortunate lady, preparatory to sacking the place, and induced them to clear out. The probability was

that they thought it was the gate of the house they were in which was slammed, and that somebody was entering the house. The men left behind them a packet of six papers tied with a thread, and these formed important clues, and led to curious developments.

How many burglars were there ? Clearly two, by the footprints about the house. Their method of procedure was also soon "reconstructed" by the police. They had first gone to the kitchen window, where they had failed to effect an entry. They had then taken themselves to the back of the house, climbed on to the roof of a small "lean-to" building just beneath the window of the room in which the victim was sleeping, removed the window, climbed into the room, and committed the crime of murder. At that moment the schoolmaster's gate slammed, they retreated by the same way they had entered, and hastily made off. What were the clues ? Let us first examine the papers. They were in German, and consisted of a certificate of birth, a certificate of baptism, and the credentials which in Germany are given to craftsmen. All the papers purported to belong to and be concerning one Johann Carl Franz, of Scandau, in Upper Saxony. In addition to these documents there was a letter of a begging description, signed Adolph Khron, a second letter from a well-known Continental vocalist, and lastly a slip of paper containing a number of addresses.

So far the papers. Inquiry in the neighbourhood soon elicited the information that two foreigners had appeared at the Cricketer's Inn the previous evening, had slept there the night,

and the following day were seen not far from Kingswood Rectory. The supposition being that they were "reconnoitring." They were also known to have purchased from a general shop some peculiar string known as "rublay," the like of which had been used to bind the deceased woman. It seemed pretty conclusive now that the two foreigners in question were the culprits. But where were they? In one of the papers referred to there was a description of the "Carl Franz" mentioned, but the police could discover no trace of such a person.

In spite of these clues it seemed that no further light was destined to be thrown upon this dark deed. However, some time after, an illuminating ray shone across the path of the mystery, which served though to render the surroundings even darker still. One day a destitute German was arrested in London upon some trivial charge, but what interested the police most was his striking resemblance to the "Carl Franz" of the papers, and he was handed over to the Reigate police. At first he said his name was "Salzmann," but upon being pressed he admitted that his name was Carl Franz, and that some of the papers found at the rectory were his property! Upon searching his lodgings they came across a shirt tied round with a piece of string identical with that purchased by the two foreigners and that found on the body of the deceased woman! In addition to this, he was identified as being one of the two strangers seen in Reigate. Could anything be blacker, more conclusive? Yet in spite of all this, the man was innocent.

It appeared that Franz had, some weeks prior to the murder, landed at Hull and travelled on foot to London. On the way he fell in with two fellow-countrymen, sailors, one of whom was named Adolph Khron, the other William Gerstenberg. The latter had no "papers," and was very pressing in trying to induce Franz to let him have his, which, however, the latter steadfastly refused to do. One evening they all lay down in a field upon a heap of straw and went to sleep. When Franz awoke his companions had disappeared, as also had his papers. Eventually he arrived in London in a destitute condition. One day he made himself known to one of his own countrymen, who took him into an eating-house and paid for a meal for him. During the latter, Franz's companion produced a newspaper containing an account of the murder at Reigate, in which it was stated that two foreigners were connected with the crime, one of whom was named Carl Franz. At this Franz became alarmed, and, in order not to be annoyed, changed his name, adopting the one given to the police, "Salzmann."

This story, however, was not considered by the police sufficient to clear him. What about the string? It was found that this could only be matched at the manufacturer's. Questioned as to how he came into possession of the string found at his lodgings, Franz explained that he simply picked it up outside a tobacconist's shop in Whitechapel. This on the face of it looked very like a lame excuse, yet it proved to be correct, and was not the least strange part of this very strange story. It was found that the shop he had indicated

was, in fact, near his lodgings, and moreover it was also within a stone's throw of the warehouse of the very string maker who made the particular "rublay" cord for the Reigate tradesman! The prisoner's solicitor was of an inquiring turn of mind, so he went to Whitechapel, and on the door-sill of the printer's office next to the tobacconist's mentioned by Franz himself picked up a piece of "rublay" cord. Inside the office they had a ball of it.

There was yet the evidence of identification to be disposed of, and upon this being sifted it was found to be very weak. A number of persons who had seen the two foreigners in Reigate both before and after the murder swore that Franz was one of them. But experience has proved to demonstration that the average evidence of identification is most unreliable, and some people, carried away by their imagination, which is in no way discouraged by the police, will swear almost anything. It was fortunate for Franz that the man who should most readily have identified him had he been one of the murderers, entirely failed to do so. That was the potman of the Cricketer's Inn at Reigate, who had had the two foreigners under his notice for two days, and was particularly attracted to them by their conversing in a foreign tongue. The others had only seen the strangers casually. This negative witness therefore was worth more than all the other positive witnesses put together. His lack of evidence was conclusive. But even further, the Continental vocalist, a letter from whom was found among the papers left behind by the mur-

derers at Kingswood Rectory, testified that she gave a letter of introduction to a young German named Adolph Khron, but that the prisoner was certainly not the man. This evidence confirmed the prisoner's statement that one of the men he met on his way to London, and who stole his papers, was named Adolph Khron. When the police questioned him concerning the papers he gave a minutely correct description of those which belonged to him, and which had been stolen from him.

There was, of course, nothing left to do but to release the prisoner, which was accordingly done. There can be no doubt that the murder was committed by the two German sailors who robbed Franz, and who were never captured. As to their present whereabouts old Time knows, but he won't tell.

An insecurely guarded house and a lonely female occupant have often figured in burglarious homicides. A few years ago a burglar broke into a house at Blackheath. A woman was sleeping alone in one of the bedrooms. Into this apartment the nocturnal visitor made his way, and one of the first things he proceeded to do was to strangle the occupant; the next to ransack the house, and the final to make good his escape. Nobody saw him either enter or leave, and he left no clue behind. The neighbourhood was ransacked, and the nearest approach they got to a clue was that several people had just before noticed the presence in a church close handy of a stranger of rather suspicious appearance. Nobody, however, was arrested for the crime, which remains a mystery.

to this day. I have been informed that the police are aware who committed the crime, but that, in the absence of sufficient evidence to warrant arrest they are unable to lay hands on him. I do not know how far this is correct.

The Ardlamont murder was never cleared up (I have several times seen an announcement in the newspapers of young Hamborough's death, with at the end these words, “‘Vengeance is mine,’ saith the Lord, ‘I will repay’”'). The murder of a young lady in Merstham Tunnel is still a mystery ; the doing to death with a pistol of a young lady in a railway carriage on the South-Western Railway has never been brought home to anybody, and countless other cases one might mention the truth of which remain concealed in that capacious head of Father Time.

## CHAPTER XXX

### WANDSWORTH—"I AM THE RESURRECTION"— LAST SCENE OF ALL

THE wrongdoer may never see the inside of Wandsworth, or find himself anywhere near the gallows. And, on the contrary, he may do so quite early in his career.

Of all the prisons I visited the one that gave me most chilling reception was the huge stony pile at Wandsworth, where the last dread sentence is carried into effect. Although Wandsworth is what is known as a "local" prison, it is one of the biggest and busiest in the system; busiest because so many "short term" prisoners are constantly coming and going. Passing under the huge portal, one is overwhelmed with a peculiar crushing sensation, which invests one with an impressive notion of life generally in durance vilest.

At the outset I encountered some opposition on the part of the autocratic military governor, who sought to divert me from my purpose. I was received by him in his private office and in the presence of the deputy-governor. I had with me my Home Office credentials, which I duly presented, and the governor himself had also been advised by the Home Office of my intended visit, full particulars being given as to what it was my ambition to accomplish, and what I was to be

allowed to do. Yet in spite of all this the forbidding-looking official adopted a very peremptory tone with me, and flatly told me that I could not do one of the things which the Home Office distinctly stated that I was to be allowed to do—namely, take photographs. I replied as flatly that it could and would be done, that it had been done in various other prisons and that it should be done at Wandsworth, sticking like a barnacle to the letter and power of my credentials. Eventually, realising that I was not to be intimidated or bullied out of my purpose, he with a bad grace surrendered, handing me over to the tender mercies of his military assistant. I have dwelt thus at length on this little incident, as it points a very striking moral, and it may one day adorn a tale. I have frequently tried to impress upon persons interested in prison reform the influence for good or ill that the governor exercises in a prison, in spite of the “standing orders.” Here we have a governor, an immovable monument of granitic discipline, “more loyal than the King,” as autocratic in his small sphere as the Czar of “holy” Russia. Deduce your inference therefrom—it is quite obvious.

The prison is built on the “star” system, the corridors radiating from a central hall, with balconies one above the other. The construction of the exercise yard in this prison is peculiar. There are several stone paths, one inside another, and in the centre a mound of earth. The prisoners walk round and round on these paths, the warders standing one on the centre mound, and the others beyond the outer circle—north, east, and west. The

ground in between the paths is utilised for growing vegetables.

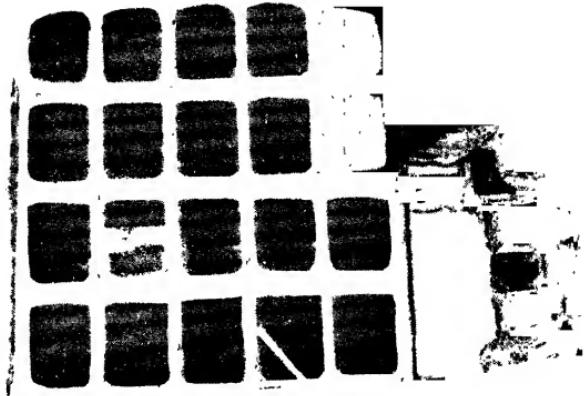
There is an interesting building situated in one of the exercise grounds, in which at one time prisoners were put to labour with the crank. Crank turning, which is now obsolete, was a very severe and unsatisfactory form of punishment. The building is a long one, with a row of cells on either side, and a platform in the middle, running from end to end above the cells. In the latter are the cranks, which were worked by the prisoners, warders pacing up and down on the platform above, keeping a watch on the cells. Every turn of the crank was registered, and a prisoner had to make so many revolutions in a given time. It was used for draining purposes. This was the method of punishment which was so energetically denounced by the late Charles Reade in his book, "It's Never Too Late to Mend."

Another interesting feature of Wandsworth Prison is what is called the "Ex Room." In this room are kept mentally deficient prisoners, who are not sufficiently insane for Broadmoor, nor sufficiently sane to be treated as ordinary prisoners. They are mostly weak-headed, and give a good deal of trouble. Some interesting inmates are to be found among them, for instance, one old man of eighty-eight, who has a record of fifty convictions for begging against him. He is an ex-soldier, who was distinguished for great personal bravery at the battle of Sobraon, during a North Indian campaign in 1846. This was confirmed by Lord Roberts.

Just before old Newgate Prison was pulled down,



"PRISONERS WERE PUT IN IT TO LABOUR WITH THE CRANK."  
(Wandsworth.)



INSIDE VIEW OF CELL WINDOW THROUGH WHICH PRISONER ESCAPED  
(Wandsworth.)



and after they had ceased to carry out executions there, I made an inspection of the place. As an experiment I had myself shut in what was known as the "black hole," or refractory cell, which was situated in the basement of the prison. It was a grim experience. Not the faintest trace of heaven's light could enter this cell. It was solid black, a darkness to be felt, a darkness that seemed to press into your very eyes. It had two thick iron doors, about two feet apart, but so close did they fit that, when inside, the clanging of the outer door was but an echo of the inner one.

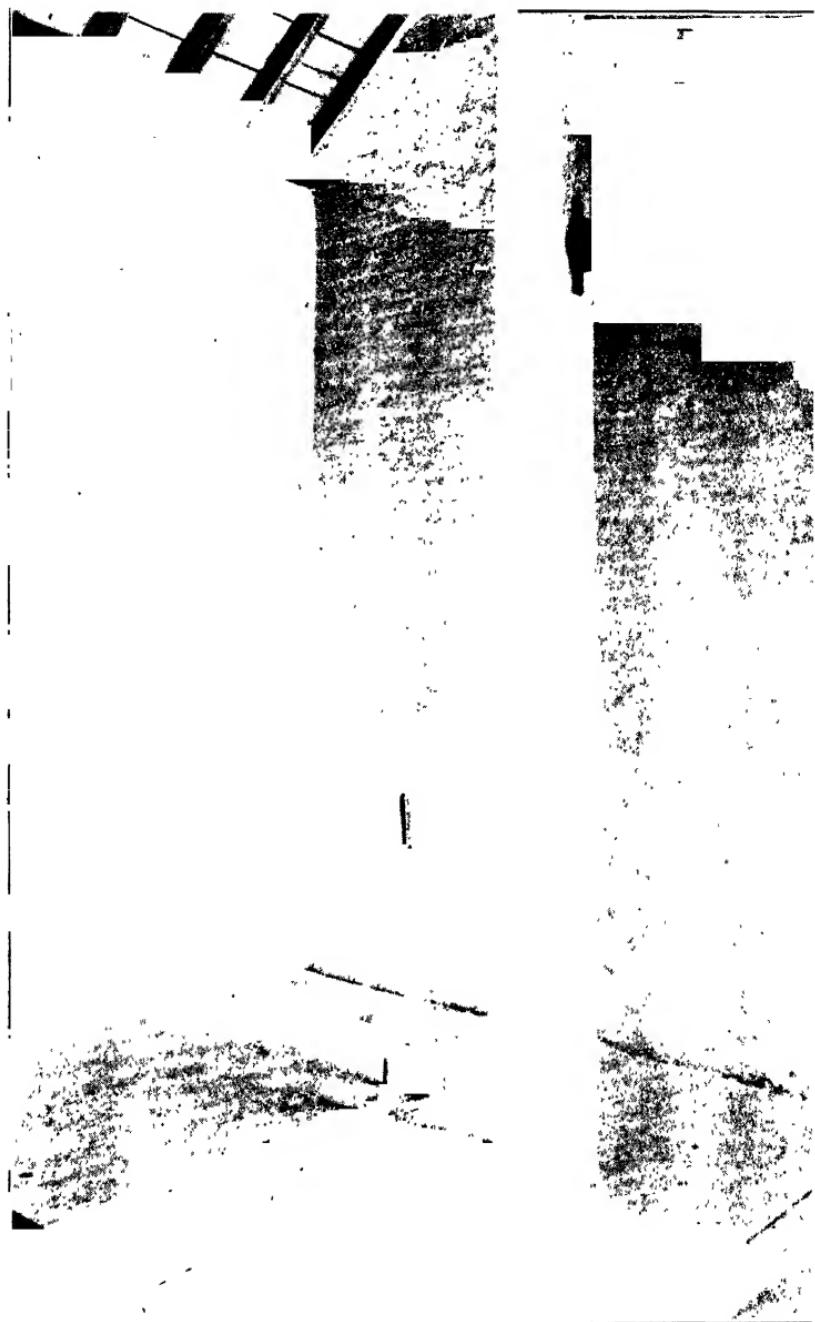
At one time the authorities could confine refractory prisoners in this cell for three days. Later the period was reduced to twenty-four hours, and subsequently abolished altogether. It simply sent men raving mad.

Next to that "black hole" I think the grimmest place I inspected in any prison was the place of execution at Wandsworth. It is a shed standing apart from the prison, and on one side are two folding doors, and a shutter. When an execution takes place the doors, which are below, are thrown open, and the shutter above is run down to the ground, so that the upper part is open. The entrance door is at the side. An execution had taken place a few days prior to my visit, and on the flaps of the drop was a chalk line, which the condemned man had had to toe.

So callous does the close and constant association with crime make some men that this place is officially known as the "cold meat-shed." When I first heard this expression I confess that I positively shuddered. The burial ground is situated

close handy, and consists of a stretch of well-kept turf, quite level. In the wall which closely bounds it are a number of square stone slabs, let in flush with the wall at regular intervals. Each one denotes that a burial has taken place there.

It is the business of the sheriff to carry out executions, but he employs and pays others to do it for him. If no other man could be found to do it the sheriff would have to do it himself by virtue of his office. One does not wonder at his seeking others to do it for him, for it is in truth a ghastly, revolting business. They have two condemned cells at Wandsworth, and when they are not in occupation by the condemned, they are utilised as offices. As to hanging being instantaneous death I have grave doubts. The coroner's verdict is a mere formula, and I have no doubt that in some cases it is slow strangulation. The object aimed at by the executioner is to break the neck by means of a sudden jerk, but I fail to perceive how this can by any possibility be made sure. At best it is experimental. The executioner takes the weight of the man into consideration in deciding upon the length of "drop," so that the shock shall be either lesser or greater according to the weight, the rope being slackened to the length decided upon for the fall. I saw and closely examined the rope that had been used to execute Mrs Dyer. It was a fine quality hempen cord, fitted with a leather washer at the junction of the noose, in order to prevent slipping. When the noose is placed over the head it is drawn close round the neck, the running knot with the washer being adjusted at the side of the neck, beneath the ear. The man being



"THE GRIMMEST PLACE I SAW."  
(Wandsworth.)



pinioned and quite helpless he falls a dead and gross weight. Up to that point all is quite certain, beyond all is conjecture. A thud, a quiver of the rope, a swaying—these always occur. The man cannot struggle, however much he may linger, being trussed like a fowl, and he hangs for an hour. At one time the State were so proud of this work that they were in the habit of taking plaster casts of the heads of the executed, which were kept at Newgate among other interesting "furniture." When Newgate was itself condemned these heads, or some of them at anyrate, were removed to the museum at Scotland Yard, where they still repose. They form a very interesting collection, being placed side by side on a shelf with their faces towards the observer. I experienced a good deal of consolation in gazing upon them. The variety of expressions was remarkable and unnerving. Round the necks of all of them were the marks, more or less discernible, where the rope had "bitten" into the flesh. I wonder they do not give them a place of honour in the British Museum or at South Kensington, placing them among other "art" exhibits.

The whole ceremony of capital punishment, from the moment when the chaplain's quivering voice rises on the morning air in "I am the resurrection," to the pulling of the lever on the gallows, is a hideous business, and a survival of a savage and untutored period. In that masterpiece of fiction by the late Charles Reade, "The Cloister and The Hearth," a tale of the Dark Ages, the hero, Gerard Eliassoen, on his journey to Italy one night encounters by the wayside a large gallows, suspended

from the cross-beam of which were a number of corpses, the bodies of executed robbers, which hung in gyves and swayed to the night breeze beneath the creaking beam. At the foot of one of the uprights, dozing over a brazier, was the watcher of the dead. The ghastly picture conveyed to the mind a deep impression of the savage and lawless condition of the age. But I fail to perceive any great fundamental difference between the summary executions of that distant era and the capital punishment of the present day. True, we carry it out within doors, and we execute only for one crime. But hanging is hanging whether it be in the twentieth or the fourteenth century. " You may break, you may shatter the vase, if you will, but the scent of the roses will hang round it still."

By very slow degrees capital punishment is slipping out of existence. It has a terrible record, its worst period being its earliest, when the sacred possession of life was taken for the most trivial offence. It was simply diplomatic savagery and blood-guilty legislation. The first step in the right direction was the abandonment of the death penalty for all crimes other than that of murder. But we still had the disgraceful public executions, which Dickens did so much towards abolishing. Even when the private method came into vogue it was a most elaborate function, with a small crowd of " privileged " persons present. Happily this is not so now, the saddest of all sentences being carried out comparatively quietly, and in a much less ostentatious manner. A flag is no longer hoisted to gratify the eyes of the morbid-minded, nor, I fancy, is a bell now tolled. " The mills of

God grind slowly." It is a curiously ironical fact that a gallows should be the symbol of civilisation !

I venture to assert that capital punishment is a discreditable, demoralising, and wholly illogical institution. The only conceivable justification for its existence would be its influence as a deterrent. But is it a deterrent ? I say emphatically no. Most murders may be placed in one of two categories : the murder of impulse, and the murder of deliberation and premeditation. Take the first. How can any penalty act as a deterrent here ? Provocation, a sudden blow, and it is done. There is no thought for consequence, no time for thought. Take the second. The very existence of this kind of homicide is clear proof that the resulting penalty in the event of discovery is not a deterrent. The crime is planned and carried out with the full knowledge that ignominious death may follow for the perpetrator, yet the knowledge does not deter. In fact we have not infrequently heard of a murderer who was known to have threatened to " swing " for his victim.

I do not wish it to be supposed that I desire to be unduly lenient towards the homicide, quite the reverse. My objection to capital punishment is entertained purely on moral grounds, as a useless national degradation. Wherever human life is held cheaply the effect is demoralising to the community wherein it prevails. There is a punishment far more terrible, more to be dreaded than the capital penalty, even by a hardened criminal—penal servitude. The majority of those condemned to death and afterwards reprieved would much rather they had been given the " happy despatch "

than consigned to a lingering death in penal servitude. A good deal of misconception prevails concerning the sentence of penal servitude for life. It means just what it says—namely, imprisonment so long as the man shall live. When eventually, having had his case “reconsidered” and favourably decided upon, he is released after serving twenty years he is only out on probation, “ticket of leave,” which condition of things will prevail for the remainder of his days, unless of course he seeks asylum in another land. He will be subjected to a system of espionage, and he will be liable to a revocation of his liberty should the authorities consider that he has done anything to merit a further unfavourable consideration of his case. The man Raynor has emphatically stated that he would much rather have been executed than reprieved, and in order to emphasise his sentiments on the point made an attempt upon his own life. In consequence he is being very closely watched. I have frequently heard it stated by reprieved murderers that they would much rather the law had taken its course. There is a certain class of the community whose social conditions are so wretched that they care very little for life—their own or other people's. Death is popularly supposed to “end all,” and a speedy release from misery is not exactly a deterrent. But it is logical to conclude that they would not care to change their condition for one infinitely worse.

The substitution of penal servitude for life for the capital penalty in all cases of murder would possess one great negative advantage; it would not be irrevocable. When the majority of murder cases

are tried purely on circumstantial evidence, and when circumstantial evidence can at times be very delusive, it naturally follows that it is dangerous to take an irrevocable step. We know that many innocent persons have been sent to penal servitude (during the last twenty years fifteen persons have so suffered and been paid compensation to the aggregate amount of £6804), and it is not at all out of the way to suppose that many innocent persons have been hanged. It is a constantly menacing reflection. The law again recognises no difference between the murder of impulse and the murder of premeditation. Over and over again attempts have been made to reduce the former to the minor offence of manslaughter, but so permeated with ancient prejudice are many of our administrators of criminal law that they will not forgo the old bad vengeful vendetta of "a life for a life."

Those who seek to defend capital punishment invariably strive to invest it with some divine authority by quoting a solitary verse in a part of the Pentateuch, conveniently forgetting that there are other passages to be found expounding quite an opposite teaching. The whole thing is obviously wrong. To expiate one murder we commit a second, and one of such studied brutality that far exceeds in cold bloodedness many of the crimes for which it is employed to punish. We put a period to a fellow-creature's life, give him two or three weeks in which to hurry up with his repentance, and appoint a chaplain to babble Scripture into the ears alike of the penitent and the impenitent. It is no wonder that this official is often treated with scorn by the condemned, for such impromptu

teachings must seem very much out of keeping with the approaching function. We have no more right to take a fellow-creature's life legally than the condemned man had to do so illegally.

The gallows must fall—it was raised on a rotten foundation.

## EPILOGUE

### FUTURITY—"WHITHER GOEST THOU?"

IN the foregoing chapters I have confined myself almost exclusively to depicting things as I have seen them, and to imparting knowledge which I have acquired. I shall now venture to make a few critical comments on the subject of crime from a general standpoint.

What is crime? In putting that question, one experiences the same hesitancy and feeling of impotence as when putting the question, What is truth? That the law entertains a large measure of misgiving on the latter point is clearly indicated by the demand it makes upon a witness in giving evidence to speak the "truth, the whole truth, and nothing but the truth," which he very rarely does as he has but a vague notion what it means. The line which divides punishable wrong-doing from some forms of legal commercial enterprise is a very narrow one. Morally the latter may be the worse of the two. A man is not punished for being immoral, but for breaking laws—when he is found out. The laws themselves may be, and frequently are, very faulty. They are uneven and press harder upon some than others. Then, again, for every wrongdoer who is convicted and sent to prison, there are scores who are breaking the laws with impunity and in a much worse manner. The law punishes offences against its

own person, so to speak, but ignores the losses of the victims. The man who is robbed frequently has no redress, and no satisfaction, but that of seeing the thief sent to prison, which is a very poor one. The laws are not only faulty but frequently illogical and oppressive. The laws should, if they were properly framed, confer the greatest benefit on the largest number. But they do not ; on the contrary, they are designed to benefit the few with a "sop" to the many. The laws ought to uplift and befriend the oppressed. They do nothing of the kind. The law is very expensive and quite beyond the poor. The lawyers have seen to that. Almost daily our judges are compelled to administer injustice, because their consciences are subservient to the laws, which are conscienceless. They sometimes have the grace to express their regret thereat, but they are helpless, would like to do better, but cannot—they are the paid servants of the long purse. That is why legal reforms are so difficult of accomplishment.

Although the bulk of criminals is recruited from the poor and lowly and wretched, every grade of society is represented in our various prisons, from the well-placed nobleman to the displaced outcast. This at first sounds curious, if not contradictory. But a little reflection will furnish us with a reason for it. Take the two extreme ends of the criminal chain and we shall find the contributory cause of the wrong-doing to be the same—namely, a distemper of the mind. At the one end it is induced by repletion and surfeit, which constitutes a condition of ill-health,

at the other end it is brought about by famine, which is another form of ill-health. In both cases the mind suffers, the disease displaying itself in deeds of lawlessness. The criminals in the higher walks of life are not, speaking broadly, a very serious menace to society ; but the criminals of the lower orders—that is to say, the large majority of criminals—constitute a hideous, festering sore on the body politic. Now by a long course of unskilful treatment the State has brought into being that Frankenstein of crime, the “habitual criminal.” He is absolutely incurable, there is nothing in the legislative pharmacopœia that can do him any good. It is really an astonishing thing that, while we are doing next to nothing in the way of reducing our criminal classes, we are doing many things calculated to add to them. Not only have we produced the “habitual,” but we are allowing the Thing to breed, and are thus multiplying our gross blunders.

Again, take the alien question. The most serious and debasing forms of crime committed in this country are so committed by aliens. One Government framed a Bill to deal effectively with this question, the next Government rendered it well-nigh inoperative. And that is how we get our legislation ! We want a little less politics and a good deal more legislation. There are certain questions which admit of no opposition, upon which all well-meaning politicians should sink all differences of opinion for the common good. The mutilation of such measures is an unwarrantable proceeding, and must cause every conscientious reformer, who has the slightest interest in the well-being of his

own country, to exclaim, "A plague on both your Houses!" We are constantly sending shiploads of our own countrymen who cannot get a living here to other shores, at the same time we are letting in any number of undesirable foreigners! It is indeed a sad sight which may frequently be witnessed at the docks upon the occasions of the departure of emigrants. One vessel may be seen carrying away batches of our own people—not "weaklings," be it understood, but fine lusty fellows — while another vessel alongside it is busy landing aliens. Speed the departing native and welcome the incoming foreigner! In very truth a sorry sight. Have we gone completely insane on this subject, and are we committing national suicide? We are simply overrun by foreigners, who are taking the very bread out of the mouths of our own people! Are we never to have some practical remedy for this grave state of things? If we are over-populated by our own countrymen by all means let the superfluous ones go to the Colonies, but as the matter stands now, they are being pushed out largely by the intrusions of foreigners whom we could do very well without under any circumstances. Judges and magistrates are continually recommending these individuals for deportation, and some of them have the effrontery to come back again. There was recently a case of a contemptible German criminal who was returned to his own country, but which would not have him, so he came back here! Surely we must be the laughing-stock of the whole civilised world, the dumping-ground of its filth !

That is one way in which we are adding to our

criminal classes, admitting the foreign element and driving some of our own people to criminal methods from sheer want. Another is through the medium of our so-called educational methods. Years ago, when the Board School movement was initiated, it was intended to take the urchins from the gutters and give them just a plain education. Like a lot of other well-conceived measures it has gone altogether astray, and has been exploited by officialism. The bulk of the burden upon the rates goes to keep a number of officials in comfortable positions. At no period of our history have there been so many dirty, ill-clad and foul-mouthed children to be found rampant in our streets. Where the education comes in I am quite at a loss to discover. The undesirable knowledge possessed by youngsters of to-day, and the desirable knowledge which they do not possess, is simply astonishing. There seems to be an entire absence of anything in the form of moral training in these schools, and it is a poor sort of curriculum which does not include this. They have merely sharpened the wits of children, and, it is no exaggeration to say, have materially added to the ranks of juvenile criminals. They have also irreparably impaired the health of our young womanhood. They have educated them above healthy service, fitted them for an office stool in a stuffy room for a paltry pittance a week. There never were so many scraggy, round-shouldered, anaemic young women as are to be seen about at the present day. Their superfluous education has invested them with a paltry, trumpery pride, which they gratify at the cost of

their bodily health. They have cheapened the clerical labour market, competed unfairly with their own fathers and brothers, and swelled the ranks of the unemployed, which is not conducive to the reduction of the criminal classes. That they are thereby morally debased is only too apparent. The young "city woman" of to-day is a rude, strutting, shallow-minded infliction. All phases of commercial life are demoralising, and these young women have not the moral fibre to withstand its baneful influence. With startling readiness they adapt themselves to its "shady" sides, and in a very short time are almost entirely bereft of truth and politeness. Such work have these schools accomplished. One of the chief achievements of the scholars seems to be the production of "howlers," in other words, deplorable exhibitions of ignorance.

I appeal for a more enlightened treatment of crime. Life is so complex, the mysteries of the human mind are so profound, that nothing short of a scientific method of dealing with crime can be justified. I have, from time to time, seen upon the faces of prisoners expressions which have set my mind revolving round the riddle of human existence, to which no adequate solution can be found. Who shall say what this brief period of futile striving and vexation of spirit portends ? We are for ever following the will-o'-the-wisp of happiness, which is one of the greatest delusions of life. A full measure of gratification is unattainable, yet we are all seeking it one way or another. The inebriate seeks it in the fool's paradise of drink ; the adulterer in the outrage of nature's

functions ; the mercenary individual in the hoarding of superfluous wealth who, if he piled up the whole of the world's available currency in one heap, would not experience the satisfaction he pursues. Possession is disillusionment, the allurement of to-morrow is the satiety of to-day. There is no limit or goal to human desires, for new ambitions are born of achievements, so we continue to strive until we blunder into the arms of death. The one who experiences the nearest approach to a full measure of happiness is he who is content to cull the simple pleasures of the present, grieves not for the past, and leaves the future to the Almighty. Yet even he shall know at times what it is to be a-weary and experience small disappointments, for such pains are the natural heritage of the flesh. It is surprising what an amount of pleasure may be derived from trifles in this life, if people did but know it. Can anything compare with the simple joys of youth, the trifles that impart a glow of enduring satisfaction to the heart which is never equalled by the greatest achievements in after life. The happiest life is the calm and contemplative one.

I am conscious of diverging somewhat, albeit the train of thought was induced by a mental reflection of criminals' countenances. And, after all, crime enters very largely into the problem of life. The policy of punishing criminals is a narrow-minded fetich. Why punish at all ? If our erring fellow-creatures are ignorant, enlighten them ; if they need help, help them. You must, of course, impound the wrongdoers for the protection of the law-abiding, and the due working

of the social system. No sort of community could hang together for a day unless the individual did his duty to it. But having imprisoned the law-breaker you have no right to visit him with pains and anguish, nor is there any need for it. You should, rather, proceed to try and do your best with him, not your worst. Did you ever know a human transgressor any the better for being treated brutally? Did you ever know him turn round and say, "Thank you, now you have inflicted upon me a good deal of bodily pain and mental anguish, I know what I ought not to have done, and will take care to abide by your wishes in the future"? Never! Rather will he turn and try to rend his persecutors, and in effect say, "As I was miserable and sinning, you added to my sufferings. Very well, as you will not help me I will help myself!" And he does—in his own way. He should do so in your way, if your system was a sane one. If you do not take the trouble to understand your fellow-creatures, how can you ever hope to minister to their frailties? If you pursue your present methods you will have to go on building prison after prison, and you will raise up a crop of undesirables the harvest of which you will never gather in.

It is no man's birthright to starve. It is, however, the fundamental right of every man's existence to be allowed to lead a respectable, honest, cleanly life. So much he is entitled to in this world. No man commits a crime for mere amusement, be assured of that. The way of the transgressor is indeed hard. It is much pleasanter to live in amity with one's fellow-creatures than to

be the hunted of men. We have been told that the fox likes being hunted, but we have never heard the fox on the subject. Yet it is no exaggeration to say that the vast majority of wrong-doers at the present day are so, because they have never been permitted to lead a wholesome and upright life. It is preposterously presumptuous on your part, gentlemen, to exact or expect obedience to your laws on the part of those whom you have not had the thoughtfulness or decency even to clothe and feed. Did you ever go without food for a single day and realise the pangs of a human vacuum ? Did you ever try leaving your feather bed for a night and seeking repose on a hard, filthy, truckle couch, in a bare and windowless room ? Did you ever, in the depth of winter, doff your flannel and fur, and clothed in nothing but a raiment of rags go forth into the night in the teeth of a blast from the east ? Gentlemen, if you have done none of these things you cannot understand the subject you are striving to handle, you have no right to punish those with whose woes you are not familiar. You ought to know that through the body the mind will suffer.

We are brought into this world without first being consulted. If this were not so, if it were possible for a human being to have a voice in the matter, how many, think you, looking into futurity, would decline the invitation of life ? A great many, I trow.

All man-made laws are characterised by the same exceeding presumption. You can go on making laws till all's blue, but Nature's laws will prevail quietly over them all the time. You may take it

as a golden, undeviating rule that wherever and whenever you attempt to confound Nature mischief will ensue. Nature will prevail, at all times, in all seasons, under any conditions. Our sex question, as I have already intimated, plays no small part in the crime of this country. Monogamy prevails only nominally, for married men are the main support of the Magdalenes. Like a lot of other customs it is more apparent than real. The State says, " You shall have one wife only, and not even that one unless you conform to certain conditions which I shall lay down for you." The wisdom and reason of it is on a par with the law which directs that a penny loaf and a basin of slops shall be a sufficient meal alike to the prisoner with the appetite of a wolf and the prisoner with the appetite of a mouse. To the former it is semi-starvation, to the latter surfeit. And because it is surfeit to the latter the State says, "'Tis well—our prisoners are well fed." But why is the former not " catered " for ? Well, he's only a convict—he's not like you and I.

I am conscious of being on delicate ground, and anticipate offending some people of the Grundy type. But my remarks are not directed towards Mrs Grundy. If I had been writing for that estimable old lady I should have given her something in the " twinkle, twinkle, little star " way, attempted to amuse rather than enlighten her. She's a respectable old dame, but an intolerable bar to progress. If we will but summon up courage and look this thing squarely in the face we shall find that we are constantly making trouble for ourselves,

in some way or other, by sitting on Nature's safety valve. Forced celibacy cannot be endured by any created thing, from man to mollusc. Man is but a part of the universal scheme of life, as is the mollusc, only occupying a higher plane of development. It is the fundamental instinct of everything that has sex to fructify. We have had a peep into Broadmoor and have seen some of the effects of forced celibacy in that delightful retreat. We can see the like in many other ordinary county asylums. During the last general election I listened to a politician holding forth to his constituents, and in treating of the Chinese question he drew a lurid picture of the life of the thousands of Chinese employed on the Rand in South Africa, amongst whom there was not a single woman to be found. He described it as a grave state of affairs, as of course it was. Well, think of the thousands of men confined in our various prisons, and never a woman ! Not even the *sight* of one. I should think that a man who had served some years of penal servitude and saw a skirt in a shop window would be liable to a dangerous attack of palpitation of the heart. I would ask you to try an experiment. Take one of the lower order of animals, confine a number of males, keeping them for some considerable time quite apart from the opposite sex—then sit down and have a snooze. I only know that I should not care to be one of their jailers.

The terrors of the life of penal servitude cannot be adequately gauged, or very well exaggerated. The deadening monotony of the life is simply crushing and killing. The same routine, day in,

day out, year in, year out, within a circumscribed area, till the very walls eat into the brain. Always the same thing, over and over again, endured not exactly as a human being, but as a cypher. Just think for a moment. We with our full freedom, at liberty to come and go as we choose, with money to spend, and able to gratify our little wishes at will, even we find life monotonous, and at times suffer from *ennui*. By comparison try and realise what life would be under the conditions prevailing at Dartmoor. It is only by comparison that the true conditions of an existence can be appreciated. He who talks lightly of penal servitude either knows nothing whatever about it, or is entirely devoid of imagination and sympathy. I say that the incarceration is in itself sufficient without adding to the burden of the imprisoned. You may grow mushrooms in darkness, but you will never cleanse a man's moral health therein. Deprived of light and liberty the soul withers.

I hold it lame of a man to expatiate on shortcomings without attempting to suggest a remedy. I will therefore venture a reply to my own indictment. Can crime be eradicated ? Most assuredly it can. It is merely a matter of health. Any measure which is calculated to improve the social well-being of the people is a step in that direction. Imprisonment is simply repressive, being neither palliative nor remedial. But, as I have already pointed out, it is necessary as a protective measure. I suppose nobody interested in the subject of criminology ever for a moment supposed that any remedy for crime was to be derived from mere incarceration. All that it does is to perpetuate the

stigma. As in the case of your capital punishment it is a case of kill, not cure.

To cure crime it would of course take many generations. We may start with the fundamental proposition that no crime, of any degree or magnitude, was ever yet committed by a person in possession of a thoroughly healthy mind. Wrong-doing is repugnant to the healthy—health and crime are diametrically opposed. Raise up a community of thoroughly healthy men and women and you have eradicated crime. How might this be brought about? Mainly by a process of exhaustion. First you would have to deal summarily with the incurable, the "habitual," the evil human emanation of a very faulty social system. All these, together with their mischievous progeny, should be consigned to a lethal chamber, and until this is done it is quite futile to talk about curing crime. True, by a process of segregation, through the medium of which the incurable criminals would be prevented from breeding, these social lepers might be in time become exhausted, wear out, so to put it. But the lethal chamber would be the more practical and speedy. There is no *type* of criminal, but there is a criminal *class*. When you speak of a "type" you infer some special breed of creature. Now this cannot apply to crime, inasmuch as any human being born is liable, under certain social conditions, to become criminal. It is a matter of environment, which, with time, moulds all human entities. A child's mind has been compared to a blank sheet of paper, ready to receive impressions, and of whatever character the latter happen to be so the mind will develop

accordingly. Therefore children born amidst criminal surroundings, of parents imbued with criminal instincts, must almost of necessity develop criminal traits. Although in some instances it would seem that a child had inherited some mental distortion from a vicious parent, yet I think this will be found to be more apparent than real, and is really coincidence. At the moment of birth I do not think a child can be destined for anything in particular, but being a most receptive and rapidly developing creature its surroundings and associations quickly make something definite of it. A child born of evil-minded parents need not necessarily be itself evil disposed at the start. It is quite a common occurrence to meet with children who, although they may or may not display an unmistakable physical resemblance to one of the authors of their being, are mentally and morally quite dissimilar from either. In fact the mysteries attending human conception cannot be penetrated by the human mind.

I think it quite possible that if a newly-born child were taken at once from its criminal parents and reared in an atmosphere of piety and strict moral discipline, that the resultant man or woman would be a thoroughly healthy and law-abiding citizen. It is a question of environment.

Having got rid of the incurables it would merely be a matter of time and social reforms to accomplish the rest. One of the evils besetting our methods of dealing with crime is that we begin at the tree-top and work down, instead of beginning at the root and working up. The conditions of the lives of those whom it is still found necessary to im-

pound should be improved simultaneously with the improvement of the social conditions of those still at large but who *might* get into prison. When there is universal health there will be universal exemption from wrong-doing. Both police and minor prison officials should be better remunerated, which would improve and enlighten their administrative methods. All these people play important parts in the work of crime suppression. It is a remarkable fact that whenever we are engaged upon any enterprise that is scarcely worthy of us—such, for instance, as blood-letting and land grabbing—we pour out our money with unstinted prodigality, but when it becomes a question which concerns the very wellspring of our home life we grow wondrous niggardly. The system of appointing ex-military men as prison governors is about as mischievous and foolish as a system can well be. Such men are cast-iron, undeviating disciplinarians, brutally so, with the brutishness that war always engenders, and are in no way interested in crime or prison reform. They are callous to a degree and interested to a shilling. Prisoners to them are so many “things” to be herded and kept in subjection. From them the minor officials take their “cue,” and imbibe sentiments from them as a sucking infant takes nourishment from its mother’s breast. The character of the governor permeates the whole prison, and the establishment is conducted accordingly. The governor is the autocrat of the whole place, and interprets the “standing orders,” which are rather elastic, in his own way. There are various ways of carrying out an order. You may hand a man a meal, or you

may chuck it at him, as one chucks guts to a dog. But in both cases it is true *he has had the meal*. It may be a mistake to make a prison a bed of roses, but it is even a worse mistake to make of it a torture-chamber.

All governors of prisons should be men really interested in social reforms, and should, of course, be civilians. Soldiers are all very well on the battlefield, or in barracks, but in any civil administrative capacity they are wholly out of place. They must have been selected as prison governors for their disciplinarian qualities, which are the very qualities which unfit them for the position, inasmuch as they are disciplinarians and nothing else. I suppose it is possible for a civilian to be a disciplinarian? As a prison governor it is possible, nay highly probable, that he will make a far wiser one than a military man. But after all these are but the isolated blots on a system which is in itself as a whole a blot. It is useless to apply remedies in these places unless the whole system is altered. Our treatment of crime is all wrong. Crime is simply the inevitable evolution of certain social evils; the latter are to be found at the root, the former displays itself at the top. It is obviously absurd to continue to beat the leaves at the social tree-top while you altogether ignore the distempered root. It is but a natural human trait to be wroth with one who has transgressed man-made laws, but do, pray, contain your anger for a little while, and look below the surface for the *cause* ere you chastise the agent of the *effect*.

Do not despise the wrongdoer, do not metaphorically kick him, which is both stupid and brutal.

" For naught so vile on the earth doth live  
But to the earth some special good doth give."

Already some movements are being made in the right direction. Already the sun of enlightenment rises, albeit but slowly, above the dark horizon of ignorance, uncharitableness and stupidity, illumining the dark corners of men's minds, and showing to those who are seeking it the path of reform that shall lead, as the years give way, to a destination of perfect health.

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